

Netherlands - United Provinces - Staten
AN AUTHENTIC *General*

A
ACCOUNT
OF THE 08023 de 5
PROCEEDINGS

OF THEIR
HIGH MIGHTINESSES,
THE STATES OF
HOLLAND and WEST-FRIEZELAND,

On the COMPLAINT laid before them by his Excellency
Sir JOSEPH YORKE,
His Britannic Majesty's Ambassador at the Hague,

Concerning HOSTILITIES committed in the River of BENGAL

TO WHICH IS ADDED,
An APPENDIX,

Containing the ORIGINAL LETTERS of
Colonel CLIVE (now Lord CLIVE), Admiral Pococke, Admiral WATSON,
With other Vouchers.

Translated from the ORIGINAL DUTCH, printed by AUTHORITY.

DUBLIN:

Printed for ROBERT BELL, Bookseller and Auctioneer, at his Great Auction-Rooms, on Cork-Hill, opposite Lucas's Coffee-House. M,DCC,LXII.

AN AUTHENTIC
 ACCOUNT
 OF THE
 PROCEEDINGS
 OF THEIR
 HIGH MIGHTINESSES
 THE STATES OF

HOLLAND AND WEST-FRIESLAND.

On the Complaint
 Sir JOSEPH YORK



His Britannic Majesty's Ambassador at the Hague,
 Concerning HOSTILITIES committed in the River of BENNE.

TO WHICH IS ADDED,
 AN APPENDIX

Containing the Original Letters of
 Colonel CURN (now Lord CURN), Admiral POCOCK, Admiral WATSON,
 With other Vouchers.
 Translated from the Original Dutch, printed by AUTHORITY.

DUBLIN:
 Printed for ROBERT BELL, Bookseller and Anglo-
 Irish, at his Great Auction-Rooms, on Grafton-
 Street, opposite Lewis's Coffee-House, 1760.

EXTRACT from the RESOLUTIONS
which the STATES of HOLLAND and WEST-
FRIESLAND came to, in their ASSEMBLY, on
Wednesday the 18th of March, 1761.

THE Counsellor-Pensionary communicated to the Assembly a Letter from the Directors of the Dutch East-India Company, dated *Amsterdam* the 2d. and delivered in the 5th Inst. to a General Court, containing the Report, or State of the Case, as required of them, in Consequence of their High Mightinesses, Resolution of the 14th of *August* last, relative to the Memorial, presented that Day, by the Honourable Mr. *York*, Plenipotentiary of his Britannick Majesty to their High Mightinesses; containing 'Complaints of extraordinary Hostilities, committed by the Servants of the East India Company of this Country, on the Subjects of his aforesaid Majesty in BENGAL,' inserted among the Minutes of that Date, and referred to a Committee by the Resolution of their High Mightinesses of the 27th of *September* thereafter: Which Report aforesaid, with the Pieces annexed, relative thereto, containing 'A circumstantial Detail of what is laid to the charge of the Company's Servants in India, by the said Memorial and its annexed Piece; as well as the Grievances of, and Complaints of Hostilities exercised upon, the Dutch East India Company, and their Servants, in Bengal, by the Subjects of his Britannick Majesty; with a serious Deliberation in what Manner the best and most effectual Relief may be given to a Company, so interesting to the Common Weal of this Country,' was on the said 5th Instant referred to a Committee of a General Court, and here follows inserted.

Whereupon having deliberated, it was resolved and agreed on to communicate a Copy of the said Report and Pieces annexed, relative to the same; as also of the said Memorial and its annexed Piece, on the same Subject, to the several Members; and in Consequence, to postpone the farther Deliberation thereon for the present.

EXTRACT from the REGISTER of the RESOLUTION of the STATES-GENERAL of the UNITED PROVINCES.

Thursday, the 14th of August, 1760.

A Memorial of the Honourable Mr. Yorke, his Britannick Majesty's Plenipotentiary, was read to the Assembly, containing *Complaints of grievous Hostilities, committed by the Servants of the East India Company of this Country, on the Subjects of his Britannick Majesty in BENGAL; to the following Purport:*

HIGH AND MIGHTY LORDS,

COMMON Fame must already have informed your High Mightinesses of an Event, as serious as extraordinary, an ample Detail whereof the undersigned Minister, Plenipotentiary of the King of *Great-Britain*, hath received an express Order from the King his Master to lay before your High Mightinesses; of which Detail an exact Copy is annexed to this Memorial. Your High Mightinesses will therein find a Relation of a Series of Hostilities committed by the Servants of the *East India Company* of this Country on the King's Subjects at *Bengal*; which had they succeeded agreeably to the Wishes and Efforts of the Authors, must have ended in nothing less than the total Destruction of one of his Majesty's principal Settlements in the *East Indies*.

Your High Mightinesses are already, no Doubt, struck with Surprize at this Declaration: But will be much more so, on reading the Piece here annexed; as his *Britannick* Majesty was, who has given too many Proofs of his constant Friendship for your High Mightinesses, and deserved too well at your Hands, to expect a Procedure so injurious upon any Occasion, much less at a Time, when under the Protection of an advantageous Neutrality, the Subjects of your High Mightinesses enjoyed all the Benefits of an extensive Commerce: In fine, at a Time, when your High Mightinesses claimed, with a paternal Zeal, Exertions of the most rigorous Justice at the Hands of his Majesty in their Favour. You will then judge, High and mighty Lords, what the King's Surprize must have been, when informed, that, without any previous Complaint, without the least Indication of a serious Dispute subsisting between the two Nations in the *Indies*, his Subjects were attacked, and threatened with the greatest Calamities, had the Fate of Arms favoured the Aggressors. But,

High

' High and Mighty Lords, the King is too great and too
 ' generous, to impute to your High Mightinesses the least
 ' Knowledge of an Act of Violence, so contrary to good
 ' Faith, and so much beneath the Dignity of a Sovereign
 ' Power. His Majesty, therefore, is willing to flatter him-
 ' self, that those Acts of Hostility proceeded not from any
 ' Order, issued from the Directors of the *Dutch East India*
 ' Company, notwithstanding the most authentic Proofs, that
 ' the Armament, which attacked the *English* at BENGAL,
 ' was equipt in BATAVIA, the principal Seat of their Go-
 ' vernment in that Part of the World. And his Majesty
 ' scruples not to lay the whole Affair before your High
 ' Mightinesses, and to demand (as I have the honour of do-
 ' ing at present in his Majesty's Name) an ample Satisfaction
 ' for such an Outrage, by the exemplary Punishment of
 ' the Authors thereof: And his Majesty expects, that the
 ' most peremptory and effectual Orders shall be issued for
 ' preventing such Excesses for the future, and for the faith-
 ' ful Execution of the Stipulations agreed on by the Servants
 ' of the two Companies in the *Indies*, as a Reparation for
 ' so illegal and violent a Proceeding.

' Done at the *Hague*, this 14th Day of *August*, 1760.

' Signed JOSEPH YORKE.

EXTRACT of a LETTER, from the PRESIDENT
 and COUNCIL of BENGAL, to the COURT of DI-
 RECTORS of the ENGLISH EAST INDIA
 COMPANY.

' ABOUT the Beginning of the Month of *August*,
 ' 1759, we received Advice, that a powerful Arma-
 ' ment was equipping at *Batavia*, and an Embarkation of
 ' Troops making there; that its Destination was not known,
 ' but that common Fame gave out it was intended against
 ' *Bengal*. The Governor directly acquainted the *Nizam*,
 ' *Jaffier Aly Khan*, therewith, who immediately sent a *Pur-*
 ' *wanah*, and peremptory Orders to *Chinsura*, forbidding
 ' the Admission of any Troops or Vessels into the Country.
 ' The *Nizam* caused a Copy of this *Purwanah* to be given
 ' to Governor *Clive*; requiring him, besides, in Conse-
 ' quence of the Treaty subsisting with the *English*, to join
 ' his Forces, in order to prevent any foreign Troops from
 ' entering his Country.

' In the mean Time a *Dutch* Vessel, with *European*
 ' Troops and *Buggoses* on board, arrived in the River.
 ' The Governor acquainted the *Nizam* therewith, who
 found himself greatly perplexed: However, he dispatched

a second *Parwanah* to the *Dutch*, with Orders to *Uturbeg Khan*, *Fouzdaar* of *Hughley*, immediately to join the Governor with a Body of Troops, and repeated his Demand for our Assistance, in order to prevent the *Dutch* Troops or Vessels from proceeding up the River. In Answer to the *Nizam's* first *Parwanah*, the *Dutch* made a solemn Promise of obeying his Orders: And to the second, repeated the same solemn Assurances; declaring that the Vessel which was arrived, came in by Accident for Water and Provisions, being by Strals of Weather driven beside the Fort of *Nagapainam*, to which she was bound; and that both the Vessel and Troops on board would quit the River, as soon as they had taken in their Refreshments.

It was, however, judged expedient to send a Detachment of Troops, to join another from the *Suba*, under the Command of the Officer of the *Fouzdaar*, in order to take Possession of the Fort of *Tarna*, and of the Battery of *Charnoe*, which lies over-against that Fort, with Orders to stop and visit all Vessels that should pass, but without giving them any further Molestation. Parties were also sent out, on both Sides the River, to prevent any foreign Troops from advancing by Land.

In Consequence of those Orders, all *Dutch* Vessels were brought to, those being suffered to pass which had no Troops on board. Among others *Myn Heer Zuydlands*, an Officer of the *Dutch* Company, refused for some time to bring to, and be visited; and having struck the Officer, who commanded at the Battery of *Charnoe*, he and another *Dutch* Gentleman, who was with him, were detained Prisoners for some Hours, till an Order from the Governor discharged both them and the Vessel. On board of this Vessel were found concealed eighteen *Buggoses*, who were reconducted under an Escort by Land, till in Sight of their Vessel at *Fulta*, and there dismissed.

On Occasion of these Transactions, we received long Remonstrances from the Gentlemen of the Factory of *Chinsura*; to which we replied, that as Principals, we were authorized by the Custom and Law of Nations, to visit all Vessels going up the River, without Distinction, as they might serve to introduce *French* Troops into the Country; and that in Quality of Auxiliaries to the *Mogul*, we were bound by solemn Treaty to join his Viceroy, in Order to oppose the introducing any *European*, or other foreign Troops whatever, into *Bengal*, and would religiously fulfil our Duty in both Respects with all our Forces, and to the utmost of our Power.

In the Beginning of *October*, *Jaffier Aly Khan* came hither,

ther, to pay a Visit to the Governor. During his Stay among us, Advice came, that lower down the River, six or seven other large *Dutch* Vessels were arrived, full of *European* Soldiers and *Buggases*: And some Days after, there was certain Intelligence of their coming up the River; and that the *Dutch* were enlisting Men of all Sorts at *Chinsura*, *Cassembuzar*, and *Patna*.

Our Governor, with indefatigable Diligence, made the necessary Dispositions to defeat the Designs of the *Dutch*. The Ships *Calcutta*, *Duke of Dorset*, and *Hardwick*, the only Vessels we had in the River, were ordered immediately to come before the Town: The detachments at the Fort of *Tanna*, and at the Battery of *Char-noe*, were reinforced, and heavy Artillery mounted there, as well as on the two Faces of our new Fort, which commands the River; the Detachment at *Patna* was called off, and the Militia put under Arms.

As soon as the *Dutch* imagined themselves in a Condition to act, they sent us a Packet of Remonstrances; wherein they recapitulated all their preceding ones, and threatened to avenge themselves, and make Reprisals, if we persisted in visiting their Vessels, and hindering their Troops from coming up the River. We made Answer, once for all, that we offered no Insult to their Flag, neither seized on, or meddled with their Property, nor infringed their Privileges; that with regard to their introducing Troops into *Bengal*, it was the *Nizam's* Business to judge how far it concerned him to preserve the Peace and Tranquillity of his own Country: That it was by Order of the Viceroy, and under the Flag of the Emperor, his Master, and by his Troops, that their Vessels were stopped and visited, and their Troops prevented from coming up; and consequently he was the proper Person to apply to: That we were ready to interpose our good Offices, in Order to appease his Resentment.

Things were in this State, when the *Dutch* began to commit Hostilities lower down the River, by firing with Ball on our Vessels, seizing seven of them, and also our Boats laden with Corn, &c. pulling down our Colours, unlading our Cannon, Military Stores, &c. from our Vessels into their own; making the Captains, Officers, &c. Prisoners: They also began Hostilities on Land, in our *Purgannahs* of *Fulta* and *Reapora*, where they took down our Flags; burnt the Houses and Effects of the Company's Tenants: The *Leopard*, Capt. *Barclay*, who was dispatched with Letters to Admiral *Cornish*, was one of the Ships they seized.

Gover-

Governor *Clive* acquainted the *Nizam* with those Acts of Violence committed by the *Dutch* lower down the River; adding, that as it was against us they actually commenced the War, he ought to consider the Quarrel, as subsisting at present only between them and us.

Hitherto we could not learn, whether the *Dutch* purposed to bring up their Vessels, with the Forces on board, above the Batteries; or to debark them as high as possible, and then march them over Land. The Governor, however, made the necessary Dispositions against either Event, as far as the Smallness of our Numbers would permit; our whole Force consisting of 240 *Europeans* of the Battalion, about 80 of the Corps of Artillery, and 1200 *Seapoys*. The choicest Troops of the former, and the greater Part of the latter, together with several Volunteers of the Militia, and Part of the Independent Company, of which a Body of Cavalry was formed, were posted at *Charnoe* and *Tanna* under Capt. *Knox*. Colonel *Forde*, who had quitted the Service on Account of his bad State of Health, joined us some Days before these Troubles, and at the Request of the Governor, accepted, in a frank and obliging Manner, the Command of the Troops that remained in Garrison, which marched Northwards on the 19th of *November*: That very Day Mr. *Holwell* had Orders to take upon him the Guard and Defence of *Fort-William* with the Militia; which consisted of about 250 *Europeans*, besides some Inhabitants; the Governor mean while dividing his Attention and Presence between the two Divisions, that at *Charnoe*, and that in the Field.

The first Blow struck against the *Dutch*, was the taking Possession of *Barnagore*; whence Colonel *Forde* passed with his Troops, and four Field-pieces, to the other Side of the River to *Syrampore*, a *Danish* Factory, and marched thence to *Cbandanagore*: Not only with the View of striking Terror into *Chinsura*, but also to be at Hand to intercept the *Dutch* Troops, in Case they debarked, and attempted to get thither by Land.

During this Period, the *Dutch* Vessels continued to advance with their Captures and Prisoners: Our three Vessels, which followed them, had peremptory Orders to pass them, and post themselves above the Batteries, where the Fire-ships lay, and where every Measure, thought necessary to destroy the *Dutch* Vessels, should they venture to pass, were taken. The *Dutch* Commander twice ordered Commandant *Wilson* not to pass the *Dutch* Vessels; threatening, if he did, to fire into him. On the 21st of *November*, the *Dutch* Armament

cast

' cast Anchor in the Offing of *Sankeral*, a Point within
 ' Cannon-shot of our Batteries. On the 22d they de-
 ' barked on the opposite Shore 700 *Europeans*, and about
 ' 800 *Buggoes*, and their Vessels fell down, and cast An-
 ' chor at Point *Melancholy*, below our Vessels. Colonel
 ' *Forde* was immediately informed of all this, with as-
 ' surance of being reinforced with all possible Speed by
 ' Capt. *Knox*, and the Detachments which were at the
 ' Batteries, and in Consequence called off. On the 23d
 ' our Commandant was ordered to demand the immediate
 ' Restitution of our Vessels, Subjects, and Effects: and
 ' in Case of Refusal, on the Part of the *Dutch*, to attack
 ' their Vessels. On the Day following, the Demand
 ' was made, and refused. The *Dutch* had seven Vessels,
 ' four of which were of the Line; and we had only three
 ' in all. And notwithstanding this Inequality, we attack-
 ' ed them, and after about two Hours Fight, the *Dutch*
 ' Commandant struck, and the others, followed his Ex-
 ' ample, except his Second, who got clear off, by fight-
 ' ing his Way, and fell down to *Culpee*, where he was
 ' intercepted by the *Oxford* and *Royal George*, which had
 ' arrived two Days before, and had our Orders to join
 ' the other Captains. The *Dutch* Commandant had about
 ' thirty killed, and many wounded; he suffered most, as
 ' did the *Duke of Dorset* on our Side, who was more im-
 ' mediately engaged with him. On the same Day, the
 ' 24th, Colonel *Forde* began his March from the *French*
 ' Gardens northwards, proposing to encamp between *Chan-*
 ' *danagore* and *Chinsura*: In passing thro' the former Place,
 ' he was attacked by the *Dutch*, with four Pieces of Can-
 ' non, and the Garrison of *Chinsura*, which was marched
 ' out, and posted in the Houses and Ruins of *Chanda-*
 ' *nagore*, at the same Time that Colonel *Forde* entered
 ' it with his Troops on the South Side. However, he
 ' succeeded in forcing them soon from their Ambuscade;
 ' took their Cannon, and pursued them, killing some, as far
 ' as the Barrier of *Chinsura*, which he prepared to at-
 ' tack, having first been joined by Capt. *Knox*, and the
 ' Troops of the Batteries of *Charnoe* and *Tanna*.

' On the Day following, Colonel *Forde* received cer-
 ' tain Advice of the Approach of the *Dutch* Troops,
 ' debarked from the Vessels, which, in spite of his Vi-
 ' gilance, were joined by a Party of the Garrison of *Chin-*
 ' *sura*. He marched directly with two Field-pieces, and
 ' met them in the Plain of *Bederra*, at about two Coss
 ' from *Chinsura*, where they soon after came to Blows.
 ' The *Dutch* were commanded by Colonel *Roussel*, a
 ' *French*

' *French* Man: The Force was about seven Hundred
 ' *Europeans*, and a like Number of *Buggoses*, besides the
 ' Troops of the Country: Ours consisted of two hundred
 ' and forty Foot, eighty of the Artillery, and fifty other
 ' *European* Volunteers, who formed the independant Com-
 ' pany of Cavalry, and of eight hundred *Seapoys*, or there-
 ' abouts. The Action was short, bloody, and decisive;
 ' the *Dutch*, in less than half an Hour, were entirely
 ' routed, having about one hundred and twenty *Europeans*
 ' and two hundred *Buggoses* killed; three hundred and
 ' fifty *Europeans*, and two hundred *Buggoses* made Prisoners
 ' with M. *Rauffet* and fourteen Officers; and one hundred
 ' and fifty wounded. Our Loss was very moderate. After
 ' this Action Colonel *Forde*, resumed his March back, en-
 ' camped before *Chinsura*, and wrote for further Orders.
 ' The *Dutch* wrote to Colonel *Forde*, as also to the Council
 ' here, praying a Cessation of Hostilities, and proposing
 ' Terms of Accommodation. We imagined we had suf-
 ' ficiently chastised and humbled them, without seizing on
 ' their Settlement, which must have surrendered on the
 ' first Summons. We agreed therefore to enter into
 ' Treaty with them: Deputies were nominated, and
 ' Matters brought to a speedy and amicable Issue. They
 ' disowned the Proceedings of their Ships down the
 ' River, owned themselves the Aggressors, and agreed to
 ' pay Costs and Damages; upon which we returned their
 ' Vessels.

' Three Days after the Battle of *Bederra*, the young
 ' *Nabob* arrived with six or seven thousand Horse, and
 ' encamped a short *Coss* from *Chinsura*. The *Dutch* were
 ' in the greatest Consternation: They wrote to Governor
 ' *Clive* in the most submissive Terms, begging that he would
 ' be so good as to intercede for them, and not suffer them to
 ' be given up to the Violence of the *Moors*. The Gover-
 ' nor did so, and repaired directly to the *French* Gardens,
 ' in order to be at hand to check the young *Nabob*, and pre-
 ' vent his coming to Extremities with the *Dutch*. His good
 ' Offices had their Effect: The young *Nabob* received their
 ' Deputies, and after some smart Reproaches, granted them
 ' Pardon, and a Promise of ample Protection in their Com-
 ' merce and Privileges, on the following Conditions: Ne-
 ' ver to think of making War in the Country, never to in-
 ' troduce, or enlist Troops, or erect Forts therein: To
 ' keep on foot one hundred and twenty-five Soldiers only,
 ' and no more, for the Service of their several Factories of
 ' *Chinsura*, *Cossambuzar*, and *Patna*: Immediately to send
 ' away their Vessels and Troops: And in case they ever
 ' contravene

‘contravene any one of those Articles, to be punished by entire Expulsion out of the Country. These Conditions being ratified by the Council of *Hughley*, and the *Nabab*, having moreover Satisfaction made him for the Labour and Expences of his March, decamped and returned to the Town.’

Whereupon having deliberated, it was resolved and agreed on, to transmit a Copy of the aforesaid Memorial and annexed Piece to the Directors of the *East-India* Company of this Country; with Orders to make their Report thereon to their High Mightinesses with all possible Dispatch.

That nevertheless, as a provisional Answer to the aforesaid Memorial, it should be added, that their High Mightinesses cannot dissemble their great Surprize at the Complaints produced in the aforesaid Memorial, of the Servants of the *East-India* Company of this Country, having committed Acts of open Violence and Hostility on the Subjects or Settlements of his *Britannick* Majesty in the *East-Indies*. That their High Mightinesses have not the least Knowledge thereof, much less did they issue any Orders for that Purpose: That they also hold themselves assured, that the Directors of the *East-India* Company of this Country, never dispatched any such Orders from hence: And that it gives them the greatest Pleasure to think his Majesty does them the Justice not to impute either to them, or to the Directors, the Outrages that may have been committed: That as their High Mightinesses wish for nothing more ardently than to live with his said Majesty in good Amity and Understanding, and to contribute all in their Power towards it; so they would most carefully avoid every Incident that might produce the least degree of Coldness in his Majesty's Good-will towards this Republick: That in the State of Ignorance, wherein their High Mightinesses continue, with regard to the aforesaid Event, his Majesty will easily conceive, that for the present nothing farther can be required of them, than to inform themselves exactly of the Truth of what has passed: And that for this Purpose they have ordered the Directors of the *East-India* Company of this Country, to communicate to them, as soon as possible, whatever is come to their Knowledge, relative to this Affair: And if upon Enquiry it should be found, that any of their Dependants hath attempted any Thing, that might interfere with the good Harmony, subsisting between his Majesty and the States, they would not fail to shew their just Displeasure thereat,

and cause proper Satisfaction to be made to his Majesty. Yet at the same time they hope, from the extraordinary Equity of his Majesty, that he will suspend his Judgment of this Affair, till the requisite Information shall come to hand and the Facts be properly vouched.

AN EXTRACT of their HIGH MIGHTINESSES
RESOLUTION to be put into the HANDS of the
said Mr. *TORKE* by the AGENT *VAN BYEMONT*.
Collated with the afore said Register.

HIGH AND MIGHTY LORDS,

WHEN we found ourselves honoured, in the Month of *August* last, with your High Mightinesses Resolution and Letter, of the 14th of the same Month, whereby your High Mightinesses were pleased to transmit to the Directors of the *East India Company*, of this Country, a Copy of the Memorial and annexed Piece, presented by Mr. *Torke*, Minister Plenipotentiary of his *Britannic Majesty*, to your High Mightinesses, we had no Accounts or Advice of what happened in *Bengal*, and were therefore not in a Condition to lay before your High Mightinesses any further Information on that Head, than what the Chamber of *Amsterdam*, upon your Rescript of the 22d of the said Month, had already had the Honour to give you. But since that Time, with the Ships *Welgeleegen* and *Blydorp*, the long expected Letters of the Company's Servants in *Bengal* being arrived, we have with as much Dispatch, as the Management of the Company's Affairs, in the Absence of the Assembly of Seventeen, would permit, endeavoured to furnish your High Mightinesses with a full Account, with regard to the Contents of the said Memorial.

We shall therefore here have the Honour to enquire, IN THE FIRST PLACE, into the Charge brought, in the said Memorial and annexed Piece, against the Company's Servants in the *East-Indies*, and afterwards exhibit to your High Mightinesses our Grievances, and just Complaints of the Hostilities and Injuries which the Dutch *East-India Company* and their Servants in *Bengal*, have suffered from the Subjects of his *Britannic Majesty*.

The

The Complaints, High and Mighty Lords, which the said Minister Plenipotentiary hath preferred in the said Memorial, consist principally in the following Particulars;

That the Ships, which in the Year 1759 were equipt at Batavia, and sailed thence with some Troops in the Month of June, were destined against the Settlements and Subjects of his Britannic Majesty.

That also, on the Arrival of those Ships in the River of Bengal, the Officers of the Dutch East India Company there, without any Reason or Provocation, committed on the Subjects of his said Majesty, several Acts of Hostility; which, had not the Chance of Arms turned to the Advantage of the English, would have brought on the entire Ruin of one of the principal Settlements of his Britannic Majesty in the Indies.

These are, High and Mighty Lords, the Complaints which are brought against the Officers of the *Dutch East India Company*, and which, without all Controversy, are of that Nature and Importance, that in case any of the Company's Servants were found guilty of the Charge, we should not fail to punish the guilty in the most rigorous Manner; in order to give his *Britannic Majesty* fresh and effectual Proofs, how much we disapprove, and seriously endeavour to obviate, all Attempts, which might tend to the Disadvantage or Prejudice of the Settlements and Subjects of his said Majesty.

And therefore it has given us a peculiar Pleasure, that his late *Britannic Majesty* of ever-glorious Memory, has done us the Justice to believe, *that what happened in Bengal did not arise from any Orders issued here*. And we can, over and above, in the most authentic Manner, assure your High Mightinesses, in this respect, that very far from ever giving Orders to commence Hostilities on the Subjects of his said Majesty, or in any Way to prejudice his Settlements or Subjects, we have, on the contrary, strictly enjoined the Company's Servants to observe an exact Neutrality between the Powers at War, and carefully to avoid giving either of the Parties any just Ground of Complaint.

We can also, in like Manner, assure your High Mightinesses, that, till we received the often mentioned Memorial and annexed Piece, we never had any Complaints made to us, that the Company's Servants had not in every Respect complied with our aforesaid Orders: And we make no Manner of Doubt, but your High Mightinesses will, in the Sequel, find the most convincing Proofs, that the Servants of the *Dutch East India Company* in *Bengal*, have gi-

ven the Subjects of his said Majesty all the Assistance in their Power, even to the evident Detriment of the Company of this Country.

We therefore hold ourselves not only fully assured, that the aforementioned Servants cannot in the least be presumed guilty of the Charge contained in the said Memorial, and that the Accusation brought against them will find no Credit with your High Mightinesses without sufficient Proof; but at the same Time trust, that when we have, to the Satisfaction of your High Mightinesses, justified our well-grounded Complaints against the Hostilities, which the Servants of the *English East India Company* have practised on the *Dutch*, and against the Injuries which the latter have suffered from the former, your High Mightinesses will be pleased to grant that Protection and Assistance, which we take the Liberty, in the most respectful Manner, to beg of your High Mightinesses, in order to procure from his *Britannic Majesty* the equitable, as well as highly necessary, Reparation of the Injuries and Wrongs done to us.

In this reasonable Hope we proceed to examine the Complaints, preferred to your High Mightinesses in the often mentioned Memorial: And as the Proof rests on no other Bottom than barely the Extract of a Letter, written by the President and Council of *Fort William in Bengal*, to the Directors of the *East India Company of England*; are we, in that Extract only, to look for the Proof of the Charge laid against the Servants and Subjects of the *Dutch East India Company*?

We may therefore, by way of Preliminary, remark on that Extract, that the Writers of the above mentioned Letter can in no Sense be considered as Persons impartial, whose Testimony should in this Case claim full Credit; seeing the aforementioned President and Council are so greatly interested in this Affair, as that they ought to be considered rather as formal Parties. For, if it holds true, as the Servants of the *Dutch East India Company* testify, That it was by Order of the said President and Council, and by their Subjects, that the first Acts of Hostility were committed in Bengal; and that the *Dutch East India Company*, and their Subjects were, by the said President and Council, in many other Respects highly injured and wronged; it must then be allowed, that the Writers of the above Letter have a real Interest to serve, in removing, as much as possible, the Guilt of what happened in Bengal, from their own Shoulders, and laying it upon those of the

Servants

Servants of the *Dutch Company*: In order, if possible, to screen themselves from the heavy Charge to which they have made themselves obnoxious, by their hostile and unwarrantable Conduct.

The Importance of this Remark is too considerable, and its Application too striking, to need to be urged any farther; we therefore pass on to the *first Article of Complaint*, which regards the Destination of the above-mentioned Ships and Troops.

And on this Head, the said President and Council affirm in their Letter,

That about the Beginning of the Month of August, 1759, they received Advice, that a powerful Armament was preparing at Batavia, where the Embarkation was made; that its Destination was not known, but that common Fame gave out, it was intended against Bengal.

And this is the whole of what is said in the said Extract, with respect to the pretended Destination of that Armament.

True it is, High and Mighty Lords, that in the Month of *June* of the said Year, some Troops were shipped at *Batavia*, and sailed from thence; But it is injurious to imagine, that their Destination was against the Settlements or Subjects of his *Britannic Majesty*. The said President and Council do not once charge the Government of *Batavia* with any such Design; they only say, that *“by common Fame”* the Armament was destined for *Bengal*, and this only by way of Inference, though a very groundless one; as from a common Report, blazed abroad, they infer, the Armament was really made with that Intention.

For, were the whole Armament projected against *Bengal*, that could be no solid Reason to suspect, much less charge, the Government of *Batavia* with entertaining any hostile Intentions against the *English East India Company*.

The *Dutch East India Company* have several Settlements in *Bengal*, of the greatest Importance to them; and for the Protection and Security of which, they are obliged to maintain some Troops there, which from Time to Time are increased or diminished according to Circumstances.

The Government of *Batavia* had therefore a Right, as the Interests of the Company required it, to send the necessary Complement of Troops to *Bengal*, without thereby giving any Umbrage, or just Reason of Disgust or Jealousy to the *English*, or any other *European Nation* whatever: Otherwise, the *Dutch East India Company* could have properly no Right

Right to secure their Settlements in *Bengal*, but be obliged to leave them exposed a Prey to the *Moors*, and in consequence, to have their Commerce circumscribed at the Discretion of their Rivals.

We might, besides, fully answer *the First Article of Complaint*, by a bare Disavowal of the ungrounded Suggestions on the Destination of the Company's Ships and Troops, without engaging in any farther Answer on that Head: But being able convincingly to shew, that the often mentioned Armament never had in View any Attempt to the Detriment of the Settlements or Subjects of his *Britannic Majesty* in *Bengal*; and also judging ourselves in Duty bound to give your High Mightinesses the requisite Information about that Armament, we will take the Liberty to lay before your High Mightinesses the Motives and Views, wherewith those Troops were sent from *Batavia*. For which Purpose, we are previously to inform your High Mightinesses about the Circumstances, in which the Company's Settlements, especially those on the Coast of *Coromandel*, stood at that Time.

The War was carried on in those Parts with great Warmth and Vigour, not only between the *English* and *French*, but also by the latter against the Prince of *Tanjour*. And tho' the *Dutch Company* observed the strictest Neutrality, yet their Possessions and Subjects were not secure from the Violence and Insults of the contending Parties.

For, in the Close of the Year 1756, the English Ministry at *Madras* thought proper, without any previous Notice or Application, actually to pull down a Settlement or Factory, the Property of the *Dutch Company*, at *Tegenapatnam*, and thus forced the Company's Resident to quit his Habitation; under Pretence, that this Settlement was too great an Obstacle in the Way of the *English*; and by the *French* becoming Masters of it, might prove greatly detrimental: With a Promise, directly upon the Conclusion of a Peace, to cause another to be built for the *Dutch Company*, wherever it might be thought most proper.

The *French*, on their side, had in 1758 taken by Surprise, and made themselves Masters of the Company's Fort of *Sadraspatnam*; under colour of being informed, that the *English* had resolved to secure that Fort for themselves, and that thereby they would be greatly obstructed in carrying on the Siege of *Madras*.

The other Settlements of the Company on that Coast, the Persons and Effects of their Subjects, were daily exposed to the

the Depredations and farther Insults of their maroding Parties, who were every where guilty of great Excesses.

Besides, the Company's Ship *Harlaem*, with a rich Cargo, was detained that same Year at *Pondicherry*; and the Government there, had, in defiance of all Remonstrances to the contrary, refused to return the same.

Also shortly after, the Ship *Oostcapelle*, sailing from *Ceylon* to *Bengal*, was taken by a *French* Man of War off *Sudraspatnam*, carried to *Mazulipatnam*, and there, under colour of being visited, detained for some Days: Afterwards, indeed, the said Vessel was released; but shortly after, setting sail from *Mazulipatnam*, was overtaken by a violent Storm, in which the Vessel, with its Cargo, and the greatest Part of the Hands, was lost: Which Misfortune would certainly have been prevented, had not the Ship been carried to *Mazulipatnam*, and thereby obliged to alter her Course.

The Government of *Batavia*, weighing this State of their Affairs on the said Coast, and foreseeing the evident Danger to which the Settlements of the *Dutch* Company, in the Progress of the War, were like to be exposed, resolved (as early as *January 1759*), to take the proper Measures for the Security of the Company's Possessions from farther Insults, and the Protection of the Persons and Effects of their Subjects, against every Degree of future Violence and Hostility.

The Time now approaching for the Departure of the two Ships, which, according to custom, were designed for the Coast of *Coromandel*, for carrying off the Returns or Cargoes, which fall due there; as also of the four, which are annually sent to *Bengal*, in order to their Return from thence to *Europe* with the necessary Cargoes; the said Government resolved to lay hold on this Opportunity, of sending over some Troops to the Coast of *Coromandel*: And for that End, it was also resolved to cause the Ships, which were to steer their Course to *Bengal*, first to put in at *Nagapatnam*, in order to send off the intended Number of Troops with all the Ships at once to the Coast of *Coromandel* under the Command of Lieutenant Colonel *Roussel*; who in the Year 1747 went out from hence as Commander of the Ship, *het huis te Manpad*, and has ever since continued in the Company's Service.

And as the Security of the Company's Settlements, and the Protection of their Subjects, was the primary and sole View of sending those Troops; so at the same Time

Time it was resolved to give it in special Charge to the said Lieutenant Colonel, and also to the Governor of *Coromandel*, to employ those Troops for no other End, than the sole Defence of the Company's Interest, and strictly to charge them, to observe all along the most punctual Neutrality between the contending Parties. With that View, and for that End, the said Ships and Troops set sail therefore from *Batavia* in the Month of *June*; and all of them, except the Ship *Vifoliet* alone, arrived at *Nagapatnam*, where the Troops were landed.

Here, your High Mightinesses see the true Motives, and the primary View of the Armament complained of in the said Memorial; as if destined against the Settlements of his *Britannic Majesty* in *Bengal*: Of which, however, not only no Proof hath been produced, but the contrary is now fully demonstrated; as it is undeniable that the Troops were sent directly to *Coromandel* for the Protection of the Company's Settlements there; and also that all of them landed at the said Place, except only those, that went off with the Ship *Vifoliet*; which in the Voyage from *Batavia* to *Coromandel*, being separated by Storm from the other Ships, was obliged to steer towards the *Ganges*.

Nor can it, with the least Colour of Reason, be presumed, that, had the Government, in sending those Troops, entertained the supposed Design, they would have acted so unwisely as to send the Troops, not directly to *Bengal*, but first of all to *Coromandel*, and thus oblige them to take a Compass, not only unnecessary, but also capable of making the intended View miscarry, if not wholly, at least in the most material Part.

In this State of Things on the Coast of *Coromandel*, which rendered the sending thither a few Troops a highly necessary Step, it was farther observed, that the Privileges, claimed by the *Dutch Company* in *Bengal*, were for some Time past considerably impaired, as well by the Extortion of excessive Sums of Money, as by cramping their Commerce.

For, when in the Year 1756 a Difference arose between the then *Nabob Serray Uddaula*, and the President and Council of *Fort William*, about the surrendering a certain Native reclaimed by the said *Nabob* as his Subject, but refused to be given up by the said Council; and when that Prince, highly enraged thereat, marched with a numerous Army against the *English*; he, by repeated written Orders, made a Demand on the Director and Council of the *Dutch Company* at *Hughley*, charging them, under severe Penalties, 'To assist him
with

with Men, Ships, and military Stores, in order to subvert and reduce the English.

But as the granting the Nabob that Demand was directly contrary to the Treaties of Peace and Amity, subsisting between his Britannic Majesty and your High Mightinesses, and that the said Director and Council were more inclined to support the English against the Nabob, they not only refused that Assistance, which the Nabob would by Violence have wrested from them, but over and above, favoured the English all they could on that Occasion.

Of this, High and Mighty Lords, we could adduce many Proofs: But to shorten this Report as much as may be, we will confine ourselves to a Copy of a Letter from Admiral Watson to the Company's Servants at Hugley, dated the 6th of December 1756: Wherein notifying his Arrival in the Ganges, and his Design of making War on the Nabob, he farther adds, *That he would have deemed it unnecessary to impart to them his Resolution, had he not, on his Arrival, understood, that the said Nabob had made a Demand upon them of Men and Ships; he therefore found himself obliged to inform them, that he would consider the complying with such a Demand as an open Declaration of War, and in Consequence would act accordingly. That it would give him the utmost Pain to find himself constrained thus to requite the Favour and Support, the said Director and Council had so lately shewn his poor unhappy Countrymen, and of which he bore a just and sincere Resentment.*

However, the Refusal of that Demand was of such fatal Consequences to the Dutch Company, that the said Nabob, after having, in the Month of June 1756, made himself Master of all the Settlements of the English Company in Bengal, and in particular of the Fort of Calcutta, he demanded of the said Director and Council a Sum of twenty Lacs of Roupies, or thirty Tons of Gold; *By Way of Penalty, for not assisting him against the English.*

This Demand was afterwards backed with severe Menaces; *That if the said Sum was not punctually paid, he would not only interrupt the Company's Commerce, but treat their Settlements and Subjects as he had done the English.*

Nor did he stop at bare Menaces. For, on the 26th of the said Month, the Nabob sent some Troops to the Fort and Settlement of the Dutch Company, with order to cut down the Company's Flag-Staff, carry off the Cannon, and entirely obstruct their Commerce. With this farther Consequence, that the said Director and Council, to ward off these Acts of

Violence, were obliged to advance a considerable Sum, upwards of eight Tons of Gold.

The *English* afterwards having the good Fortune to surmount their Difficulties in *Bengal*, and again recover the Possession of their Settlements, the Servants of the *Dutch* Company flattered themselves, that at least, thro' the Mediation of the *English*, on whose Account they had suffered that Injustice, they might recover the Money thus extorted from them. And for that End made the proper Application and Remonstrances: but all to no Purpose.

Soon after a Dissention arose between the said *Nabob* *Serray Uddoula*, and one of his Governors, *Jaffier Aly Khan*, with which last the President and Council of *Fort William* entered into a Compact or Convention, whereby they engaged to be aiding and assisting to the aforesaid *Jaffier Aly Khan* with all their Force, in order to procure for him the Subship or Government of the Provinces of *Bengal*, *Bihar*, and *Orissa*; and further to assist him in like manner against all his Enemies: Providing, that if he came to be *Nabob*, he would then execute the Articles, he had entered into by the said Convention.

The Consequence of this Dissention, and of the Convention agreed on, was, that the Army of the said *Serray Uddoula* was beat by the *English*, himself slain, and the aforesaid *Jaffier Aly Khan* set up in his Place, as *Nabob* of the said Provinces.

From this Revolution the Servants of the *Dutch* Company conceived new Hopes of bettering their Circumstances; and the rather, as both *Admiral Watson* and *Colonel Clive*, in several Letters, had assured them, That the Change in the Government of *Bengal* would also prove of considerable Benefit to the *Dutch* Company. But Experience soon taught them how vain such Hopes were.

For this new *Nabob*, far from paying a proper Regard to the just Remonstrances of the Company's Servants for the Restitution of the aforesaid extorted Money, and the reinstating them in their infringed Privileges, Demanded, on the contrary, of the said Director and Council a like Sum, with that extorted by the aforesaid *Serray Uddoula*; at the same time excluding the *Dutch* Company from the Salt-water Trade, conferring it wholly and exclusively on the *English*; He also obstructed the farther Progress of the Company's Commerce, and stopped their Ships passing up and down the River, laden with the Company's Effects; obstructed the Company's Servants in the Importation of

the Necessaries of Life; And by those and other Acts of Violence obliged them to pay some Tons of Gold, notwithstanding the Company's Commerce was all this while under great Restraints.

The Government of *Batavia*, informed of all this, and considering, that the often mentioned Director and Council were unable, with the small Force they had, to oppose the Vexations and Extortions of the *Moorish* Governours, judged it extremely necessary to put the Company's Servants there in a Condition properly to protect their Possessions, and at the same time with better Hopes of Success, and enable them to insist on the Restitution of the Money extorted, and the reinstating them in their infringed Privileges, in order to carry on their Commerce unrestrained. For this Purpose the Governour of *Coromandel* had it in Charge, when Circumstances did not necessarily require the Continuance of all the Troops, which came in the said Ships, upon the Spot, to send a Part of them to *Bengal*. Which he also some Time after did.

Here, High and Mighty Lords, we might add the State of Things in *Sural*, and elsewhere; where also the Company's Privileges were with various Views retrenched and insulted by the *Moorish* Governours, which furnished one of the Reasons, why the said Troops were sent from *Batavia*: But as this is not our present Business, we will not, in order to give your High Mightinesses as little Trouble as possible, enter into any further Particulars about it, Hoping we have above shewn, that there is not the least Shadow of Proof, that the said Equipment was intended to prejudice the Settlements or Subjects of his *Britannic* Majesty: and that, on the contrary, we have abundantly shewn, that the Motives and Views in sending those Troops, were the Security and Protection of the Company's Possessions, and of the Persons and Effects of their Servants, against the Violences and Vexations, to which they lay exposed.

And therefore also we hope we have to the Satisfaction of your High Mightinesses, given an Answer to, and a Confutation of the first Article of Complaint of the often mentioned Memorial.

The second Article of Complaint, contained in that Memorial, is, That the Servants of the *Dutch* Company, after the above mentioned Ships were arrived in the *Ganges*, committed several Acts of Hostility, both by Water and Land, on the Subjects of his *Britannic* Majesty, without any Provocation.

But

But to point out, as with a Sun-beam, how groundless this Complaint also is, we will separately consider what happened by Land, and what by Water.

By Water, the often mentioned President and Council maintained, that the Servants of the Dutch Company were the Aggressors; having on the 14th of November 1759, caused some English Vessels to be stopped; some of which were laden with military Stores, which were afterwards unladen and put into Store-houses.

This Fact is avowed by the Company's Servants: But they imagined, and as we trust, on firm Grounds, that the detaining those Vessels could not be construed a Commencement of Hostilities in Bengal; seeing the English had long before committed various Acts of Hostility on the Subjects of the Dutch Company.

And in order convincingly to shew this, we are under a Necessity of making a Recital to your High Mightinesses, of the Conduct of the English, with regard to the Dutch Company, before the Detention of the said Vessels.

And to shew, as much as may be, every Cavil as to the Truth or Falsity of the alleged Facts, we shall chiefly confine ourselves to what is said on that Head in the afore-said Extract of a Letter.

In the Letter, the President and Council of Bengal own, 'That as soon as the Ship *Indra*, with the Troops on board arrived in the Month of August in the Ganges, they, as if at the Request of the Natch, had resolved with all their Power to oppose the coming up of those Troops to the Company's Fort and Factory. That for this End, they had with their Cannon and Troops occupied the Moorish Fort, by which the Ship was to pass. That, in like Manner, they had occupied the High-ways, through which the Troops must march in order thus, both by Water, and Land, to hinder our People from coming up.

That they had given their People Orders to stop and visit all the Company's Vessels: That these Orders were actually executed, and that in Consequence thereof all Vessels of the Dutch Company, going up or coming down, were detained and visited.

That the Troops, which were found in the Vessels, were forcibly disembarked, and carried back again down the River.

It is also acknowledged in the said Letter, 'That the Servants of the Dutch East India Company had made repeated Instances and Protestations against those Acts of Violence and Hostility, and that their Answer was: That they, as Principals,

Principals, had a Right to visit the Ships; and as Allies of the Nabob, were bound to assist him, in order to hinder the coming up of our Troops: And that they (N. B.) would to the utmost of their Power do both the one and the other.

It further appears from the said Extract, That when in the Month of October following, the other Ships, *Blyswyk*, *Welgelegen*, *buis ten Donk*, and the small Ship *de Waereld*, with their Troops on board, were come into the River, the often mentioned *English* Council redoubled the Efforts of their former Measures: That they reinforced all the Places along which the Troops could come up, both by Water and Land, with Men and Artillery: That they continued to stop and visit our Vessels, disembark and detain the Troops: And that they, on the repeated urgent Instances of the Company's Servants, had declared: That they would still go on in the same Method, and consequently that to the utmost of their Power they would oppose, and endeavour to hinder the coming up of our People.

The Director and Council of the *Dutch* Company, finding more and more, than all the Representations and Protests, which they had made to the *English* Council on those Acts of Violence and Hostility, as well as their repeated Offers to terminate in an amicable Manner the Differences arisen between the two Nations, proved of no Effect; and that the said President and Council, notwithstanding the Treaties subsisting with his *Britannic* Majesty, continued resolute to oppose with Force the coming up of our People, did therefore on the 7th of November, resolve upon a more home, close, and ample Protest, in which, after reciting the Acts of Violence and Hostility committed by the Servants of the *English* East India Company upon them, and fully answering the Reasons, which the said President and Council had advanced in Justification of their Conduct, the aforementioned Director and Council at length declared

That they, constrained by Necessity, and reduced to the last Extremity, should make use of those Means, which God, common Justice, and Nature had put into their Hands in order to oppose Force by Force; to the end, that agreeably to their Duty, they might protect, to the utmost of their Power, the Company's Settlements, their Servants, and established Privileges: That they, in doing this, were far from intending to break through the Treaties, subsisting with his *Britannic* Majesty, or acting in any Respect offensively against them, or even attempting it in what Manner soever; as they should employ the Power entrusted

entrusted with them, only to ward off the Acts of Violence and Hostility, committed by the *English* settled there, in so sensible and extensive a Manner, upon the *Dutch* Company; further adding: 'That they should not have come to such Extremity, had not all other Means, to bring the said President and Council to equitable Sentiments, and induce them to terminate amicably, and in a proper Manner, the Differences arisen, proved fruitless.'

This Protest having been sent to the *English* Council at Fort *William*, and at the same Time Copies of it dispersed among all the foreign Nations settled there, without procuring upon it any Satisfaction from the *English*, the said Director and Council resolved at length, on the 10th of the said Month, to treat the *English* in the same Manner, as they had treated the *Dutch*; to stop the *English* Vessels, and send back the Troops on board to the Place from whence they came; yet to let all Merchandise pass freely and unmolested. In Consequence of this Resolution it was that, on the 14th of the said Month, the *English* Vessels, mentioned above, were detained.

We have deemed it, High and Mighty Lords, our Duty to give this Recital of Matters to your High Mightinesses, because the naked Representation of the Facts, mentioned therein, exhibits an undeniable Proof, that the Detention of the *English* Vessels cannot be said to have been the Commencement of the Hostilities committed: And thus from the aforesaid it appears, that the aforementioned President and Council of Fort *William*, had by their own Confession, as early as the Month of *August*, resolved to oppose, to the utmost of their Power, the coming up of our Troops: That they had repeatedly declared to the Company's Servants, that they would execute that Resolution to the utmost of their Ability: That they in reality, in particular, long before the 14th of *November*, did on all Occasions stop and visit all the *Dutch* Company's Vessels going up or down, and forced the Troops on board to return back: And besides, that they first did repeatedly the very same thing, which they pretend was first done by the Servants of the *Dutch* Company, and was the Commencement of the Acts of Hostility complained of.

We also imagine, we have hereby proved, that the Company's Servants cannot be said to have committed the first Hostilities by the Detention of those Vessels; and that on the contrary, the Fact, with respect to them, can be no otherwise considered, than as a necessary and allowed Means

to repel the Force, which those Vessels were intended to employ against them.

It was a Thing well known, the *English* themselves having several Times declared it, 'That they would employ all their Ships, Vessels and Boats to obstruct the Navigation of the Company's Ships further up the River: And there was, besides, good Information, 'That they caused several Vessels to be equipped as Fire-ships; in order, if possible, 'to destroy the Company's Ships.'

Prudence therefore required us to stop all the Vessels, that could obstruct the coming up of our Ships or Troops; and the actual Conduct of the *English* gave the Servants of the *Dutch* Company an indisputable Right to do so.

To repel Force by Force, is one of the first and most incontestable Rules, which Nature and Equity inculcate; and if this Rule could ever have been practised on good Grounds, it was certainly in the Circumstances, into which the Servants of the *Dutch* Company were at that Time reduced by the Conduct of the *English*. The Ships had for some Weeks lain in the Mouth of the River: The People were sickly, and could not any longer, without endangering their Lives, continue on board: Their Passage, both by Water and Land, was occupied, and obstructed by the *English*: The Company's Vessels and Servants were stopped by them: All Representations, Protests, and amicable Offers to the contrary proved ineffectual: And it was impossible to bring up the Troops, without exposing them to the Fire, both of the Ships and Troops of the *English*.

There remained therefore no other Resource than to repel Force by Force: And the Company's Servants had without all Dispute a Right to employ, for their Defence, the very same Means, which the Servants of the *English East India* Company made no Scruple to employ, in attacking the Servants of the *Dutch* Company.

But as, in the often mentioned Extract of a Letter, it is, with respect to this, also said:

'That the Flags of the detained *English* Vessels were pulled down;' we think we may with great Reason doubt of the Fact. First, because our Account of this Detention expressly says, that the *English* Flags were left standing; thereby especially to shew, that the Design of their Detention was solely to obviate the bad Use, which was intended to be made of them: And secondly, because no Mention was made in the Letters, in which the said President and Council complained of the Detention of their Vessels, about the taking

taking down the Flags: Yet should such a Thing have hap-
pened, it might have been done by the common People in
the first Confusion, contrary to the Orders of the Director
and Council; who, moreover, justly disavowed it at the
Convention, which they afterwards entered into with the
said President and Council of Fort *William*, whereof we shall
speak more largely in the Sequel.

It is further urged in the said Extract of a Letter: *That
some military Stores were unladen out of the Vessels, and the Of-
ficers put under Arrest.*

We admit both Charges: But it must be also admitted,
that proper Inventories were taken of all these Goods, and
the necessary Receipts put into the Hands of the Ship's Of-
ficers; to shew, that the Stores were unladen, not to be
appropriated to the Use of the Detainers, but only to pre-
vent their being employed to the Detriment of the Company's
Ships and Servants. A Piece of Precaution, not only al-
lowable, but which could not be omitted without the great-
est Degree of Folly.

As to arresting some Officers, who were on board the
Vessels, we find it noted in the aforementioned Report,

That, the Officers being asked, whether there were mi-
litary Stores on board, denied there were any; yet that,
on visiting, the contrary being found, the Officers were
detained for some Time; because it was not to be presum-
ed, that if they were really *English* Officers, they would
have been guilty of so barefaced a Denial. And this was
the Answer, which the second, *M. Vernet*, in his Letter of
the 21st of *November*, gave to the Remonstrances of the com-
manding Officer of the *English* Ships, on the Detention of
those Officers; adding, *That as soon as it should plainly
appear, that the detained Persons were the Persons the said
commanding Officer reclaimed, he would immediately
discharge them.*

But if all these Officers were detained without a lawful
Cause, nay, without any Reason at all, it would have been
only making Reprisals in a way that was entirely
Vide No 2. justifiable by the former Conduct of the *English*,
who detained *Capt. Zuydant*, the Agent *Tremblay*,
with several other Officers. And the Difference between the
two Cases could consist only in this; that the *English* Officers
were treated with Politeness and good Manners, on board
the Company's Ships; but the *Dutch* in an indecent Manner
by the *English*.

But

But whatever might be the Cause of arresting those Officers, it is a thing confessed, ' That the Servants of the *English East India Company*, long before the 14th of *November*, detained several Vessels of the *Dutch Company*, and arrested their Officers and Servants.

And this is fully sufficient to shew, that what the Company's Servants did on the aforesaid 14th of *November*, can with no colour of Reason be affirmed, to have been ' a Commencement of Hostilities;' and consequently that the said Servants were not the Aggressors by *Water*.

We go on next, to enquire what happened by *Land*; and we are confident, we shall prove, that the Servants of the *Dutch Company* were ' as little the Aggressors by Land ' as by *Water*.

The first Incident, which, according to the said Extract of a Letter, happened on Land is, ' That the Servants of the *Dutch Company* burned down the Houses and Effects of the Tenants of the *English Company* at *Fulta* and *Rajopor*, and pulled down the *English* Flags there.'

But we can with the utmost Sincerity declare, we have not found the least Mention made of that Event, either in the Reports or Letters of our Servants; nor in the Letters, written by the *English*, where we might reasonably expect to find it mentioned, as an Object of Grievance and Complaint, if the Thing had really happened.

It is a Thing entirely improbable, that the Servants of the *Dutch Company* should, without just Cause or Provocation, be guilty of such Excesses against Persons whose Help and Assistance they rather stood in need of: And we may with Confidence affirm, that those our Servants, during the Animosities between them and the *English*, had given too many Indications, how averse they were to all Kinds of Excess, to suspect them guilty of so criminal a Conduct.

In the often mentioned Extract of a Letter it is further alledged; ' That on the 24th of *November*, Colonel Forde with the Troops under his Command, was attacked by the *Dutch* in the French Gardens near *Cbandanagor*.' And this is also alledged, as a second Event, in which the *Dutch* were the Aggressors.

But what little Ground there is for this Pretence, is a Thing so evident, that it is quite unnecessary to confute it: For, when we reflect, that the *English* had proposed to hinder the marching up of the People, which came with the Ships; and moreover reflect on what the aforesaid President and Council own themselves to have done, towards the Execution of that Purpose, any one, who is duly inform-

ed thereof, must own, that on that 24th of *November*, the *English* were the Aggressors: For, in the often mentioned Extract of a Letter it is said, ' That Colonel *Forde* with the ' Men under his Command was sent to occupy the Ways, ' along which the said People must come up; and above all, ' to prevent the Junction of the Garrison of the Company's ' Fort of *Chinsura* with the Troops that were marching up. ' That Colonel *Forde* had, on the 18th before occupied the ' Village of *Bernager*, ' which in the said Extract of a Letter is affirmed to have been ' the first Blow given the *Dutch*.'

' The said Colonel having there, with his Troops and ' four Pieces of Cannon, passed the River, marched on to ' *Chandanagar*, in order not only to alarm the Company's ' Village of *Chinsura*, but also to intercept the *Dutch* ' Troops, should they venture to advance by Land.'

And lastly, ' That the said Colonel had, on the 24th of ' *November*, set out from the *Fremb* Gardens northwards, ' WITH DESIGN, &c. &c.' And though in that Extract they omit to mention, in what that Design consisted (the Reason of which may be easily judged) yet from what went before, it may on good Grounds be affirmed, that the said Colonel *Forde*, as soon as at the aforementioned Place he had met the Detachment, which was sent out under the Command of Lieutenant *Van Stade*, to go to meet the expected Troops, and consisted only of 113 *Europeans* and 270 Natives, failed not to attack them; the rather, as the Corps he commanded was, by the Reports brought in, 300 *Europeans* strong, and 2500 Natives: And that besides, the said Lieutenant *Van Stade* had it in special Charge, if the Junction with the expected Troops could not be effected, in that Case to retire back to *Chinsura*, and in all Events to act only on the Defensive.

But besides this probable Reasoning, which yields a sufficient Proof, that the *English* were in that Case the Aggressors, it appears moreover from the Report of the said Lieutenant *Van Stade*, ' That when on the often mentioned ' Day he met the *English* Troops, they immediately attacked ' him.'

We could here, High and Mighty Lords, add many other Proofs, to shew, that the Hostilities on Land were not commenced by the Servants of the *Dutch* Company: But we judge That a superfluous Task; considering, that the often named President and Council of Fort *William* have, by the Conduct they held, sufficiently given to understand, that the Company's Servants were not the Aggressors by Land. For, notwithstanding Governour *Clive*, on receiving the News, that

that the aforementioned *English* Vessels were detained by the *Dutch* Ships, had declared to the *Nabob*, ' That since the *Dutch* had now begun the War directly against the *English*, he, the *Nabob*, is to consider the Dispute arisen, as regarding the *Dutch* and *English* alone; and also that in Consequence of that Declaration, all that should afterwards happen, both on Land, and the River, ought to be considered as touching directly and alone the *English*. ' Yet afterwards, the said Governour and the Council of Fort *William*, in the Convention aforementioned with the Director and Council of *Hughley*, declared, ' That they considered not the *Dutch* Officers and Troops, whom they made Prisoners of War, as their Prisoners, but as those of the *Nabob*; and therefore they were ready to set them at Liberty, as soon as the Director and Council of the *Dutch* Company should have made up Matters with the said *Nabob*. ' Whereas, with regard to the captured Ships, the said President and Council would maintain, and stand to it; ' That those Ships, as being their lawful Captures, could be released by them only; grounding this on the Subjects of the *Dutch* Company having committed the first Acts of Hostility by Water: ' A convincing Proof, as we trust, that the said Governour and Council made a remarkable Distinction, between what happened on Land, and what on the River; and that their Intention was, to make the Servants of the *Dutch* Company appear to have been the Aggressors by Water; but with regard to the Hostilities on Land, they did not venture to pretend the same. So that it is not to be doubted, whether, in Case the aforementioned Servants could, with any Shadow of Truth, have been accused of being the Aggressors by Land, the said President and Council would in making the said Convention, have also made the same Use thereof, as they did with respect to what happened on the River, of the pretended Aggression, how ungrounded and untrue soever their Pretence might be.

We also trust, we have proved to the Satisfaction of your High Mightinesses, that the Servants of the *Dutch* Company did not, either by Land, or by Water, commit the first Hostilities; and besides, having fully confuted the two principal Heads, which, in the said Memorial, are laid to the Charge of the Company's Servants, there only remains, for the further Confutation of the said Memorial, that we shortly speak of the Design, which the said Servants are pretended to have had in committing those alledged Hostilities, and which was to terminate in nothing less than ' the total de-

struction of the Settlements of his *Britannic Majesty* in *Bengal*?

But besides that we have heretofore proved, that the said Ships and Troops were sent from *Batavia*, in order only to protect the Settlements of the *Dutch Company*, their Subjects and established Rights, against every Act of Violence whatever; and therefore might contentedly refer to what, in regard to that pretended Design, was there said; nevertheless, for the further Deletion and Overthrow of this unjust, and (not to use a harder Expression) groundless Suggestion, we may here demand (as we imagine we may, with all the Justice in the World,) what likelihood, not to say, what Proof, there is, that the Government of *Batavia*, or the Company's Servants in *Bengal*, should have formed, not to say, hoped to execute, Views or Projects of so aggravating and so criminal a Nature, as on this Occasion are laid to their Charge? For, even supposing (though the contrary has heretofore been proved) that those Troops were destined solely and directly for *Bengal*; and that after their Arrival, they had entered into the Company's Forts and Places, yet from thence it could not, with any Shadow of Truth, be inferred, that those Troops were sent thither, to act offensively against the Subjects of his *Britannic Majesty*, or to undertake any thing to the Detriment of his Settlements.

The *Dutch Company* has several Factories in *Bengal*, at a great Distance from each other, in which they carry on a very extensive Commerce; and the Security of those Factories necessarily required a greater Number of Troops, than the Company usually has upon the Spot. The Government of *Batavia* therefore, not only might, but was in Duty bound, to provide for this. And the sending thither a few more Troops was but a necessary Precaution of Self-defence, a Thing ever left discretionary to all the World. So that the President and Council of *Fort William* had not, from the Arrival of those Troops in *Bengal*, the least Grounds to entertain any Jealousies or Apprehensions, that those Troops were to be employed against them. Neither the Government of *Batavia*, nor the Company's Servants in *Bengal*, ever gave the least Umbrage to suspect them of designing any Hostilities against the Settlements or Subjects of his *Britannic Majesty*. The Ships and Subjects of his Majesty, as well as those of the *English East India Company* and their Dependants, have at all Times found, and do still find at *Batavia*,

via, and all the other Factories of the *Dutch Company*, all the Service and Assistance, which they can reasonably expect. In particular, the Company's Servants in *Bengal* had, by their Refusal to assist the *Nabob*, given a convincing Proof, that they never inclined to prejudice the Subjects of his Majesty, or be guilty of any thing to the Detriment or Infringement of the Treaties of Peace and Amity, subsisting between his said Majesty and the States.

For, had either the Government of *Batavia*, or the Company's Servants in *Bengal*, had any View, they would, certainly, not have let slip the favourable Opportunity, which spontaneously offered, of executing this Design, when, in 1756, the *Nabob, Serray Uddoula*, by severe and reiterated Menaces, urged them to assist him against the *English*.

It is well known in *Bengal*, that the said *Nabob*, hurried on by his Passions, would hearken to no Remonstrances: And Colonel *Clive*, in his Letter to the Director and Council at *Hugbley*, dated the 17th of *July*, 1757, says, 'That the said *Nabob* was a mere Tyrant, under whose Oppression the whole Country groaned, and that his Fall would be a Blessing to all the Inhabitants.' It was therefore easily foreseen, as in the Sequel plainly appeared, to the great Detriment of the Company, that the haughty and unbridled Tyrant was like to be enraged to the highest Degree by our Refusal. The Director and Council of the *Dutch Company*, therefore, had on that Account every Calamity to expect at his Hands; and by Reason of the small Force they had at Hand, were in no Condition to make any Stand, with Hopes of Success, against him: They might, therefore, in their own Justification, for granting Assistance against the *English*, have pleaded the great Superiority and intolerable Tyranny of the said *Serray Uddoula*, which constrained them to comply with his Demands.

But notwithstanding the repeated Menaces of the *Nabob*, the very manifest Danger, to which the Settlements of the Company, as well as the Persons and Effects of their Dependants, were exposed; and notwithstanding the Reasons, which the said Director and Council might have alledged in Vindication of their avoiding the Danger: Yet they not only constantly refused the Assistance the *Nabob* required against the *English*, but had moreover given those last, when under Oppression, all the Relief and Assistance,

ance, that could be expected of faithful Friends and Allies, considering their own Circumstances at the same Time: And the Testimony of Admiral *Watson* ought, in this Respect, to stand for ever as an indelible Reproach against the *English* Company's Servants in *Bengal*, for the Ingratitude, with which they requited the Services done them.

There is not then the least Shadow of Proof, that either the Government of *Batavia*, or the Company's Servants in *Bengal*, had any Design of committing Hostilities on the Settlements and Subjects of his *Britannic* Majesty: On the contrary, the one as well as the other, gave real Proofs of their Inclination and Readiness to assist, on all Occasions, the Subjects of his *Britannic* Majesty. On what Grounds then can the Company's Servants, without the highest Injustice, be suspected of aiming, by sending and employing those Troops, at the Ruin of his *Britannic* Majesty's Settlements in *Bengal*? Loose Reports and groundless Jealousies can never afford a satisfactory Proof for justifying Accusations, which we may, upon solid Grounds, affirm to be devoid even of all Appearance of Truth; and which seem only to be devised by the Servants of the *English* Company in *Bengal*, in order, if possible, to palliate, in some Measure, the Acts of Hostility, which they committed on the Subjects of your High Mightinesses, and the Violence and Injustice, with which they attacked the *Dutch* Company and their Dependants.

We need not therefore, High and Mighty Lords, insist any longer on refuting Accusations, which fall of themselves: And therefore, imagining we have hereby fully discussed the Honourable Mr. *Torke's* Memorial, we should now pass on to the Complaints, we are compelled to prefer to your High Mightinesses, against the Acts of Hostility and Injustice committed by the Servants of the *English East India* Company: To the end we may, under the powerful Protection and prevalent Support of your High Mightinesses, obtain at the Hands of his *Britannic* Majesty, the Redress and Reparation of those Grievances, we shall now take the Liberty to lay them more particularly before your High Mightinesses, under the following Articles:

First, we say, That the Servants of the *English East India* Company in *Bengal*, after various Acts of Violence, did at length, without any Reason or Provocation, proceed to open Hostilities; not scrupling in an outrageous Manner to fall upon, and forcibly seize the Ships of the *Dutch East India* Company, and treat their Dependants, as declared Enemies.

Secondly,

Secondly, ' That the aforesaid *English* Subjects greatly injured and hurt the Commerce of the *Dutch East India Company*.'

Thirdly and lastly, ' That by the Acts of Outrage, and the illegal Proceedings of the said Servants and other Subjects of his *Britannic* Majesty, on the several Dependants of the *Dutch Company*, very considerable Losses and Prejudices did accrue.'

All which Particulars will in the Sequel be more precisely shewn: And IN THE FIRST PLACE, as to those Acts of Violence and Hostility, committed by the *English Company's* Servants in *Bengal*, we need only, in order to justify the Complaints preferred by us, exhibit what happened there; as a naked Recital of the Events in *Bengal* will be alone sufficient to demonstrate the Outrages and Hostilities there committed: And also in order, for this end, to obviate, as much as may be, every Caviel, which may be started against the positive Facts contained in that Recital; we will, for the greatest Part, alledge no other Facts, than what are laid down in the often mentioned Extract of a Letter, and which must therefore serve as an undeniable Proof in our Favour.

May it therefore please your High Mightinesses to recollect, what was heretofore advanced from the often mentioned Letter, both with regard to the Resolution, taken by the President and Council of Fort *William*, ' by Violence to hinder the coming up of the Troops, brought by the Ships of the *Dutch Company* to *Bengal*.'

And also to consider ' the forcible Means, actually made use of, for executing that Resolution: ' And especially their acknowledging, that ' they violently stopped and visited all the Vessels of the *Dutch Company*, that wanted ' to pass up and down the River; that they put under Arrest ' the Company's Servants, found on board any of those Vessels, and forced the Military to return back to the Vessels, ' that lay lower down: ' And with respect to the last mentioned Circumstances, we may here further add to what the said President and Council acknowledge, That, by the Declaration of Capt. *Zuyderland* and Agent *Trembley*, Commissioners ordered down to the Ships lying in the River, to fetch up some Money and Goods, they were upon their Return ' stopped by Order of the Commanding Officer of the *English* Garrison of the Moorish Fort *Makwa*, ' forcibly dragged on Shore, and indecently pushed and driven ' along, and kept under Arrest in common Soldiers' Tenits: ' That the few Officers who, on Account of Sicknes, were ' obliged to go ashore, together with their Servants, and ' those

those of the said Commissioners, were tied Hands and Feet, and thus forced to pass the whole Night in the open Air.

That the aforesaid Commanding Officer would scarcely allow the said Commissioners to provide any Refreshment for those People.

And that, afterwards, the said Officers and their Servants were sent down again under a strong Escort, with Orders to the Escort to let them on Land two Miles above the Ships, which was accordingly done: By which Means the Men were put in imminent Danger of their Lives.

The often-mentioned President and Council of Fort *William* acknowledge further by the said Letter; That the Director and Council of the *Dutch* Company having made Complaints on those Acts of Violence and Injustice, and entered a Protest against them; No Regard was paid to this Protest, but the Answer was, They would still go on in the same Manner, as they had hitherto done.

Nor did they stop at this first Act of Hostility; For, from the often mentioned Extract of a Letter, it appears, Vide N^o. 3. That, on the 18th of *November*, Co-

lonel *Forde*, with the Troops under his Command, took Possession of the Village of *Bernagor*; that he demanded the Keys of the *Dutch* Company's House there, and there hoisted the *English* Flag, and thus, as it is said in the often mentioned Letter, struck the first Blow against the *Dutch*. Vide N^o. 4.

That on the same Day some *English*, supported by *Seapoys*, fired sharp Shot into the Vessels, which lay in sight, and within Reach of the *Dutch* Fort *Gustavus*: And when on the 22d after; the Military, and other Troops, which were come into the River with the above-said Ships, were gone on Shore, the *English* fired on those Troops from their Ships which lay there, and wounded some of them: Nay, *George Wilson*, Commandant of the *English* Ships, scrupled not to threaten the Commanding Officer of the *Dutch* Ships, That if he attempted to land a

single Man more, he would construe it as an Act of Hostility, and exert himself to the utmost to sink and destroy the *Dutch* Ships. Vide N^o. 5.

And notwithstanding the Director and Council of the *Dutch* Company had, by Letter of the 22d of *November*, to the often mentioned President and Council, once more offered, To determine the Dispute in an amicable Manner, and thereby to obviate all further Hostilities and Animosity between the two Nations; yet the abovementioned Colonel *Forde* did, on the 24th after, near *Gbandanagar*, attack the

‘ the abovesaid Detachment,’ which marched out of the Company’s Village, *Cbinsura*, under the command of Lieutenant *Van Stade*, in order to meet the expected Troops; ‘ and by his Superiority obliged the said Lieutenant ‘ to retire to *Cbinsura*: On the same Day, ‘ the Ships ‘ of the *Dutch* Company were attacked and mastered ‘ by those of the *English*:’ Concerning which we may, for the further Information of your High Mightinesses, take notice, That the often mentioned Director and Council, reflecting on the Danger, to which the Ships and the Troops on board might be exposed, on proceeding farther up, by the Moorish Forts, and judging it adviseable to avoid that Danger; for those Reasons resolved to march up the Troops, if possible, over Land, and let the Ships go down the River again.

That they not once suspecting the *English* would, in a hostile Manner, fall upon those Ships, had caused them to be unladen, and for the Benefit of the Troops, to debark also all the hands, which could be spared on board, leaving on each Ship only as many Hands as were necessary to work her.

In consequence of that Resolution, on the 22d all the Troops were debarked, and on the 23d the Ships weighed Anchor, and fell down the River. The Commanders of the *English* Ships, being informed of this, sent on the 23d a Letter to those of the *Dutch* Ships, to this Purport, ‘ Gentlemen, you have taken and stopt several *English* Vessels and ‘ Boats against the Laws of Nations; we demand their immediate Restitution, together with their Hands and Effects.’ To this Answer being made by the Commanders of the *Dutch* Ships, ‘ That those Vessels and Boats were stopt by ‘ Order of their Superiors; and that as the Demand of their ‘ Restitution could not for that Reason be complied with, the ‘ *English* must apply to the Director and Council.’

This first Letter of the *English* Commandant was followed by a second, in which the said Commandant, ‘ did not only ‘ abide by his first Letter;’ but further demanded, ‘ That ‘ all the *Dutch* Ships should, as soon as possible, on the same ‘ Day, come and lie under his Guns, and send the principal ‘ Officers of all their Ships on board his Ship, and also give ‘ him such further Security, as should then be asked; threatening, that if his Demand was not promptly complied with, ‘ he would use the proper Means to enforce it.’

Nevertheless, the Commander of the Company's Ships made answer, ' That the *English* might do as seemed good to them, as it was not in their Power to grant what they demanded.'

Mean while the Company's Ships continued falling down the River, and being chased by three large *English* Ships; ' On the 24th the Ships *Vlissingen*, *Bleiswyk*, *Welgeleegen*, and the *Princess of Orange* were attacked by the said *English* Ships,' together with a Snow and several Shallops, while the small Ship the *Elizabeth Dorothea*, was already fallen down so far, as to have had no Share in the Action.

The abovenamed four Ships answered the Fire of the *English* with as much Vigour, as the Fewness of their Hands would permit; but the Anchor of the Ship *Vlissingen*, happening to drop, she fell foul of the *Bleiswyk*, whereby both were greatly obstructed in the Defence they might have made; and besides the first being set on Fire, she was, after a Fight of two Hours, in which she lost above half her Hands, ' overpowered by the *English*, the other ships being also in consequence constrained to yield.'

It deserves, High and Mighty Lords, a peculiar Remark, that in the often mentioned Extract of a Letter, the President and Council of Fort *William* acknowledge, ' That they charged the Commanders of their Ships to attack the Dutch Ships, and that they actually did so;' as thereby there remains no Doubt, who were the Aggressors.

But it is a gross Misrepresentation, as is however alledged in the said Extract of a Letter, ' That there were seven large Dutch Ships, four of the line and three smaller Ships;' seeing as early as the 14th, all the Hands of the small Ship *Warveld*, and of the Bark *de Mossel*, which must needs have been reckoned among the seven, were removed; because the first was rendered unserviceable by being leaky, and the second lay a-ground; there having been engaged in the aforesaid Action only the Ships *Vlissingen*, *Bleiswyk*, *Welgeleegen*, and *Princess of Orange*, the three first of which were 140 Feet long, and the fourth ninety seven, and yet all four did not make 200 Men; whereas the three *English* Ships were, by report, at least 540 strong, and also provided with a greater Number of Guns, and of much heavier Metal than the said Dutch Ships.

On the Day, following this Affair on the River, and consequently the 25th of November, when the Troops and other Hands, which, on the 22d before, were gone on Shore, were,

were, in their projected March, come near *Cbandanagor*, they were there met by the *English*; who, according to their own Account, to the Number of 1170, were posted very advantageously, and provided with a numerous Artillery.

No sooner were those Troops come within Cannon shot, 'but they were fired on by the *English*.' But tho' all the People were extremely fatigued by a very long March, which they were obliged to make for the Space of three Days; yet, with much Bravery, they stood the Fire of the *English*; and tho' unprovided of any Artillery, marched up with a full and steady Pace to the Enemy: But meeting in their Way a broad and deep Ditch which they were constrained to pass, in order to avoid being destroyed by the Artillery of the *English*; the Troops, in passing the said Ditch, fell into some Disorder: The *English*, taking advantage of this Circumstance, redoubled the Fire of their Artillery and Musquetry; and the Disorder, already arisen, being thereby encreased, caused the Slaughter of a Part of those Troops: another Part was made Prisoners, and the rest were constrained to retire.

The Director and Council of the *Dutch* Company, who, as well before, as during those Troubles, had often, but always in vain, requested the President and Council at Fort *William* 'to terminate by an equitable Accommodation the 'Disputes arisen,' now repeated, on receiving the News of what had happened, their former Request to the said President and Council, and also met with a more favourable Hearing at their Hands.

Commissioners therefore were named on both sides, in order to enter into Negotiation, and farther Hostilities were in the mean Time suspended. The *English* Commissioners did, in the first Conference, propose 'two Articles,' which they required 'to be first settled as Preliminaries, without which, 'they declared, they would enter into no farther Negotiation.

By the first Article, 'Satisfaction was demanded for the Dishonour pretended to be done the *English* Flag by the Servants of the *Dutch* Company.'

And by the second, 'Reparation for the Damage, which the *English* had sustained by the Detention of their Vessels, and the farther Consequences thereof.'

The Commissioners on the Part of the Director and Council at *Hugbley* shewed on the other Hand,

'That the Servants of the *Dutch* Company had not been the Aggressors: That on the contrary the *English* had committed

mitted the first Hostilities: Having in a hostile Manner fallen on the *Dutch* Ships and Troops, and dishonoured the *Dutch* Flag: That thus the *English* could, with no Shadow of Reason, pretend to any Satisfaction from the *Dutch* Company; these last having much better Right to an equitable Reparation and Satisfaction: Yet the President and Council of Fort *William*, convinced of the Injustice they had done the *Dutch* Company, and foreseeing the well-grounded Complaints, which, on that Account would be made to his *Britannic* Majesty, did therefore bethink them to remove, as much as possible, the Guilt of what happened, from their own Shoulders, and lay it on those of the Servants of the *Dutch* Company: With that View they gave it in Charge to their Commissioners to insist on the Admission of the two first-mentioned Articles: And, consequently persevered in their former Declaration; yet with this additional Clause, That as soon as these two preliminary Articles should be settled; and the said Director and Council think fit, on their Part, to propose any Articles, they should be authorised, and in Readiness, to enter into Negotiation thereupon: Yet that, if no Satisfaction should be given them on the two first Articles, the Settlements of the *Dutch* Company in *Bengal*, as also their Servants and Effects, should be left to the Discretion of the *Nabob*, who was marched down with some Troops, and already close at the *Dutch* Fort.

The Commissioners of the *Dutch* Company having fruitlessly insisted on their Remonstrance against those two Articles, and being aware of the threatening Danger to which the Settlements of the *Dutch* Company, and the Persons and Effects of their Servants stood exposed, if the *Nabob* did, upon farther provocation, attempt any Acts of Hostility; were therefore, thro' the obstinate Perseverance of the *English*, and their own evident danger, constrained to come in to the aforesaid two Preliminaries.

Commissioners therefore appointed on both Vide N^o. 7. Sides, did, on the 1st of *December* 1759, settle and determine the Fulfilment of these two Articles; the Director and Council of the *Dutch* Company having in Substance declared,

With regard to the FIRST ARTICLE; 'That seeing they had ever sought to make Peace and Quiet their principal Pursuit, and that the great Animosities, arisen between the two Nations, had given them great Uneasiness and Pain: and that what happened down the River, with regard to the *English* Flag, and the Dishonour which might have been done it, by some of the Ship's Crew, on the first Rencounter, and

‘ and thro’ Mistake, without their Orders, and against their Mind might have been guilty thereof:’ And with regard to THE SECOND; ‘ That considering the Ships of the *Dutch* Company did also sustain much Damage, it was unjust to insist on any Indemnification on that Head; but that free Restitution should be made of whatever was still in being: And that they requested the often mentioned President and Council, equitably to reflect thereon; but in Case the *English* refused to depart from their Demand, they would then endeavour to give them Satisfaction.’

However, by the Commissioners on the *Dutch* Side, some Articles were also given in to the *Vide* N^o. 7. *English*: as to which, among other Things, the *English* declared in Answer to Article 3. ‘ That they did not consider the *Dutch* Officers and Troops as their Prisoners, but as those of the *Nabob*; and that they were therefore ready to release them, as soon as the Director and Council at *Hugbley* should have made up Matters with the *Nabob*;’ And to Article 5. ‘ That all the Ships and Vessels, they had taken, should be returned, as soon as their Demands were granted.’

These Articles were therefore on the 6th and 8th of *December* approved of, and ratified by the Principals on both Sides.

The *English* did nevertheless insist on the Indemnification they had demanded; yet declared at the same Time, by a Letter of the 8th of *December* 1759, ‘ That seeing the Estimate of the Damage could not then be fully settled, they would in some Time after give it in.’

The Director and Council at *Hugbley*, did also at the same Time, by Commissioners appointed for the Purpose, enter into Negotiation with the *Nabob*, and were constrained to engage in Writing,

‘ That they would send back all the Troops *Vide* N^o. 8. which were arrived, and discharge those which were taken into the Service: That they would never after send for Troops into, nor wage War in *Bengal*, nor make any Preparations for that Purpose: And that they would not keep above 125 *European* Soldiers in the Factories of *Bengal*, *Patna*, and *Bellafor*.’ And this Convention being in like Manner ratified, the Troops, together with the Ships, were afterwards released, and the Effects, seized, on each Side, restored.

’Tis unnecessary, High and Mighty Lords, to enquire, with what Views, or by what Persons, those extorted Articles were devised: ’Tis in the clearest Manner evident,

dent, that they proceeded from the Servants of the *English* Company, who, resolving to domineer in *Bengal*, and solely to engross the whole of its Commerce, have with that View employed every Means, warrantable, and unwarrantable, in order to deprive the *Dutch* Company even of the Ability of protecting, at any Time, their Settlements and Commerce there, against those Violences and Infringements, of which it has already had so many striking Instances, and may, in the future, expect still more: And that unjustifiable Design of the *English* Company's Servants hath also been the sole and genuine Motive to the hostile Conduct, they have all along held with respect to the Servants of the *Dutch* Company, and of which we have heretofore made, as briefly as possible, our dutiful Recital to your High Mightinesses.

The Facts, there mentioned, are recited and proved, not barely by Letters from the Company's Servants, who with Reason might be judged partial: but by the Acknowledgements of the *English* themselves, and other irrefragable Vouchers.

Your High Mightinesses therefore could not fail to find therein ' a Series of the most extraordinary Hostilities, committed without the least Reason or Provocation, by the ' Servants of the *English East India* Company against the ' Subjects of your High Mightinesses.' In particular, it must therefore plainly appear to your High Mightinesses, ' That the aforesaid *English* Servants, after committing manifold Outrages, were at length so far led away by ' their lawless Passion, as with the Infringement of the ' Treaties, subsisting between his *Britannic* Majesty and ' your High Mightinesses, to have, like open Enemies, fallen ' upon and forcibly seized both the Ships and Servants of the ' *Dutch East India* Company.' And the bare Recital of those Facts must consequently have already afforded ' the full ' and complete Justification of the Grievances,' which we are constrained to pour in the Bosom of your High Mightinesses in regard to those Hostilities committed upon us.

But how unjustifiable soever the Conduct of the often mentioned *English* Servants may in general appear, how groundless soever the Reasons, which the President and Council of Fort *William* have advanced in their own Justification, may be, we must not, however, pass them over untouched.

The principal Reasons were, as your High Mightinesses must undoubtedly have already remarked from the Answer of the President and Council, in Regard to the Complaints and

and Protests made by the Company's Servants: ' That they
 ' as Principals, were authorized to stop, visit, and treat at
 ' Pleasure all Vessels, that came up the River, without be-
 ' ing obliged to assign any Reason for such a Conduct: And
 ' that further, as Allies of the *Nabob*, they might assist him
 ' with all their Power, in order to obstruct the coming up
 ' of our Troops and Men.'

These therefore are the Grounds, on which, the said President and Council endeavour to support their Answer, but which, we imagine, are destitute of all Solidity. For in the first Place, we deny, in the most express Manner, that the Servants of the *English East India Company* have a Right to visit all Vessels, that come up the River of *Bengal*, much less to stop them: The *Ganges* is a neutral River, running thro' a Country, where neither the *English*, nor any *European* Nation, have any other, or a greater Right than is allowed them by the *Great Mogul*, the Lord of the Country: For, we hold ourselves assured, that the *English* themselves will not pretend they have obtained of the *Great Mogul* a Right to treat the Ships of all other Nations at their own Discretion: On the contrary, the *Dutch East India Company* have, from Time immemorial, by Virtue of the repeated *Firmans*, granted them by the *Great Mogul*, ' The
 ' Right of free Navigation and Passage, and of carrying
 ' up and down Men and Goods to and from the Factories,
 ' which they have in the Province of *Bengal*:' The Company has also continually exercised that established Right, and by Virtue thereof, conveyed to, and maintained in their Settlements, as many Men, as they, according to Circumstances, judged necessary: And thus the Company could not, without Prejudice to the *Firmans*, granted them by the *Great Mogul*, be excluded that Right: But above all, the *Nabob* was not authorized to do this; as he, being Governor only of that Province, could not deprive the Company of the Exercise of Privileges, which were granted them by his Imperial Majesty.

And tho' the said President and Council appear by the Letter of the 22d of October to call in Question that alledged Right of the Company, and also to reject the Distinction made between the Power of the *Nabob*, and that of his Imperial Majesty: Yet we may oppose thereto, in regard to the Scruple started as to the Company's Right; that supposing we were now upon that Point, namely, to demonstrate that Right, and the Exercise thereof, we could do it in the clearest Manner: But we
 imagine

imagine ourselves dispensed from that here, as the said President and Council, in the often mentioned Extract of a Letter, allow, ' That the Enquiry into that Right is none of their ' Business, but that of the Government of the Country : ' And we might, in other Respects, with far better Reason ask the *English*, what Right they had, to bring into *Bengal* the Force, they had there previous to the Troubles arisen therein.

And as to the Distinction made between the Power of the *Nabob*, and that of the *Great Mogul*, it needs only be remarked ; that when the *English* in the Year 1756 declared War against the then *Nabob Serray Uddoula*, they first and principally excused themselves, on ' the said *Nabob's* having infringed the Privileges, granted them by *Firmans* of his ' Imperial Majesty : That he was in no manner authorized ' thereto, and that they for those Reasons made War upon ' him : And thus that Distinction is hereby abundantly proved, by the proper Sentiments and Conduct of the *English* themselves.

The *Second Pretext*, wherewith the President and Council of Fort *William* have attempted to excuse the stopping and visiting our Vessels, was ; ' That according to the Accounts ' come to hand, the Peace between his *Britannic* Majesty ' and the States was just upon the Point of being broken, and ' that therefore they were to provide for their own Security : ' But it having appeared, how groundless that Intelligence was, and the alledged Pretext thereby falling of course, we need not detain your High Mightinesses with a Proof, that supposing the said President and Council had actually received such Accounts, yet they were by no means authorised, on such loose Reports, and without Orders from their Superiors, to begin any Hostilities against the Subjects of your High Mightinesses ; and therefore we need only remark on that alledged Pretext, that as that groundless Prospect of a speedy Breach of the Peace in *Europe* was the Rule, by which the said President and Council squared their Conduct, we need not then wonder at the extraordinary Hostilities, which they committed on the *Dutch East India Company* in *Bengal*.

No less frivolous and groundless is another Pretext, adduced also by the said President and Council, for the pretended Proof of their established Right, to stop and visit all Vessels : Which Pretext consisted herein, ' That they had no ' Security but that the Ships of the *Dutch Company* might ' bring *French Troops* into the Country : ' Whereas, on the contrary, the aforementioned President and Council had, in this respect, the strongest Assurances in virtue of

of the Treaties subsisting, and the Conduct held by the Company's Servants; who never gave any Suspicion of their intending to act contrary to the Tenor of those Treaties: But rather, on all Occasions, had shown, they were resolved to observe a strict Neutrality between the Powers at War: Nor were the *English* certainly authorised, on Pretext of defending themselves against a Nation at War with them, to treat all others as Enemies.

But it is unnecessary to insist farther on the groundlessness of those Pretexts, since it appears that the said President and Counsel were conscious that they were not sufficient to justify their Conduct: For had the Apprehension of an instant Breach of Peace between his *Britannic* Majesty and the States, been capable of affording a sufficient Ground for their falling, in a hostile Manner, on the Servants of the *Dutch* Company; or had there been any Appearance, that the Troops brought in were *French*, or that they were ever to be employed in the Service of that Nation; in either of these Cases the said President and Council would have sought no other Pretext to oppose the coming up of those Troops: But being convinced, that their adduced Reasons were insufficient, they also brought in play the often mentioned *Mier Jassier Khan*, under pretence, that 'They had entered into a Treaty with him offensive and defensive; in consequence of which they were engaged to assist him, in order to obstruct, by Force, the coming up of our Troops.'

We never had, High and Mighty Lords, a Sight of that pretended Treaty: And the only Article, which the *English* have published thereof, is the 13th: From which it appears, that it was entered into with the aforesaid *Mier Jassier Khan* before his Election to the *Nabobship*, under Promise, on the Side of the *English*, that they would 'not only assist him with all their Power, to obtain the said Government, but also afterwards give him the like Assistance against all his Enemies whatever: On condition, that being raised to the *Nabobship*, he would in that Case fulfil the other Articles specified in that Treaty.'

And if we may credit Colonel *Clive's* Letter, the stipulated Assistance was to be given the *Nabob*, 'not only against those, who should undertake any Acts of Hostility against the aforesaid *Nabob*, but also against all others, who, in any Case whatsoever, shall presume to refuse what the *Nabob* shall demand: How unjust, unreasonable, nay tyrannical is such an Article!

From hence therefore we may easily conclude, what Relation this *Nabob* stands in with the Servants of the *English* Company in *Bengal*: But how little soever we are enabled to form a Judgment of the further Contents of that pretended Treaty, it certainly appears very extraordinary to us in every Respect, if what the said President and Council maintain should be true, namely, ' That by Virtue of this offensive and defensive Alliance with a native Prince, one European Nation may, in a hostile Manner, fall upon another ;' seeing this, if considered in itself, is entirely consistent with the proper Interest of the *English East India* Company themselves: For what the *English* act in *Bengal* against the *Dutch*, may certainly with equal Right, be also acted there or elsewhere against themselves; of which the mutual Destruction, and final Ruin of both Companies may be the unavoidable Consequence: But however it may further affect the general Interests of both Companies, and what other Conditions or Stipulations soever may have been made in that pretended Treaty with the *Nabob*; yet we imagine, that at all Events, the President and Council of *Fort William* should not have committed any Hostilities upon the *Dutch* Company as the Treaties subsisting between his *Britannic* Majesty and your High Mightinesses expressly and particularly forbid both Companies to do any Violence or Wrong whatever, one to the other.

And we here appeal, in the first Place, to the Treaty of *Breda*, dated the 31st of *July* 1667, afterwards confirmed by that of *Westminster* on the 19th of *February* 1674, where it is said Article 12,

' Also, That the said Lord the King, and the Lords the States General, shall not cause to undertake, act, or attempt, the one against the other, or the Subjects of the one against the other, in any Place, whether by Land, Sea, Havens, Districts, Bays and fresh Waters, upon any Occasion whatever; and that neither of them, nor the Subjects of either of them, shall give, do, or shew any Aid, Counsel, or Favour, or suffer any Thing to be done, acted, or undertaken by any one whatsoever, but shall both of them expressly and effectually contradict, oppose, and actually hinder all and sundry, residing or abiding, or standing under the Dominion of the one or the other, who shall begin, do, act, or attempt any Thing against the one or the other.

And

And Article 21;
 'Allo, Neither shall the Subjects of his Majesty, nor the
 'Subjects of the Kingdoms and Countries under his Domi-
 'nion, nor the Inhabitants and Subjects of the *United Pro-*
 'vinces, be suffered by Sea or Land,' UNDER ANY PRE-
 'TENCE OR SHEW WHATEVER, TO ATTEMPT OR COM-
 'MIT ANY HOSTILITY OR VIOLENCE, THE ONE ON
 'THE OTHER.'

And should any one choose to maintain, that all the Arti-
 cles of the aforementioned Treaty are not applicable to the Set-
 tlements of the respective Sovereigns in the *East Indies*; yet
 from the 23d Article it is evident, that at least in regard to
 the Hostilities, which the Subjects of the respective Sove-
 reigns might attempt against each other, the aforesaid Treaty
 is absolutely applicable to every thing of that Nature which
 might fall out in the *East Indies*.

We further appeal, in the *second Place*, to the separate
 Article, which, in Consequence of the above mentioned
 Treaty of *Westminster*, was concluded on the 8th of *March*
 1675, specially and solely touching the *English* and *Dutch*
 Companies; wherein not only mention is made,

'That for the Interest of the publick Peace, as well as
 'private Concerns, it is highly serviceable, that there be,
 'between the *English* and *Dutch* Companies, trading to the
 '*East Indies*, the strictest friendly Connection, and the most
 'ardent Inclination, to embrace each other with reciprocal
 'good will and Affection.'

But therein what follows is also included and agreed to.

'That both Companies shall mutually behave to each
 'other in a peaceable and amicable Manner; also that the one
 'shall promote the other's Interest, and on all Occasions
 'keep up and preserve an upright and amicable Intercourse
 'of Neighbourhood, according to the Treaties already made,
 'or at any Time hereafter to be made, between his said Ma-
 'jesty and the said Lords the States General; and whatever,
 'as well his Majesty, as the Lords the States General re-
 'spectively, shall earnestly recommend to both the Compa-
 'nies, both Companies shall strictly observe: But should any
 'Difference arise between the aforesaid Companies (which
 'we hope will not happen) or any Damage, Injury, or Vi-
 'olence be done by the one Company, or any one depend-
 'ing on the one or other Company, to the other, or be pre-
 'tended to be done; in that Case the other Company shall

be forbid to proceed to Methods of Violence; or Acts of Enmity, or what Nature or Kind soever the Hostility may have been.

In the said Treaties therefore the respective Companies and their Dependants are expressly prohibited, under any Pretext or Shew whatever, by Sea or by Land, to do each other any Outrage or Injustice; on the contrary, they are charged, to behave amicably and peaceably towards each other. From hence therefore it also appears, that what Treaty, Agreement, or Convention soever, the often mentioned President and Council have entered into with the *Nabob of Bengal*; yet that on Pretence thereof, they could not give the aforementioned *Nabob* any Assistance to the Detriment of the Subjects of your High Mightinesses, much less, as avowed Enemies, fall upon, and mal-treat them: And thus it is undeniable that those anterior Treaties, subsisting between the Crown of *England* and the States, cannot be eluded by any such posterior and particular Treaty: Unless one would choose to maintain, that the Servants of the *East India Company* are authorized, in Defiance of, and contrary to the express Commands of their respective Sovereigns to enter into particular Treaties, not only to the Prejudice, but the total Infringement of anterior Engagements, which in all Respects are to stand firm between his said *Britannic Majesty* and the States; and the exact Performance of which is most expressly commanded the respective Companies; An Assertion too groundless and absurd to require any confutation.

It was therefore, in Compliance with those Treaties, that the Director and Council of the *Dutch Company* refused the Assistance, which the former *Nabob, Serray Uddoula*, demanded against the *English*: And these are the very Treaties, which, with no less Justice than Zeal, we at present reclaim.

It is in vain, that the often mentioned President and Council seek to avail themselves of the Requisition and Orders of the *Nabob*, farther to hinder, to the utmost of their Power, the coming up of our Troops. It is well known, in what Relation the *Nabob* stands with the *English*: And it is also but too well known, that those pretended Orders were dictated by the *English* themselves: Besides, we have heretofore, from the proper Representation and Conduct of the *English* themselves, shewn, that the *Nabob* was no ways authorized

thorized to hinder the coming up of those Troops: But at all Events, the *English* ought not to have complied with those Orders and that Requisition: As the above mentioned Treaties expressly forbid the Commission of Outrage, *under any Shew or Pretext whatever*: And the *English* themselves had a little before maintained, that the giving any Assistance to the *Nabob* against them was an Infringement of those Treaties. For, when the former *Nabob* had issued like Orders to the Servants of the *Dutch* Company, and that under severe Penalties, in Case they did not comply, the *English* declared, they would consider the Compliance with those Orders, as an avowed Infringement of the above mentioned Treaties. Admiral *Watson* also, in his Letter be-

Vide No. 1. fore mentioned, to the Director and Council, wrote, 'That if they granted the *Nabob* the Assistance he demanded, he, the Admiral, would construe such Procedure, as an open Declaration of War, and act accordingly.'

In that of the 13th of *March* 1757, the said Vide No. 10. Admiral declared: 'That the Director and Council at *Hugbly* might be perfectly well assured, his Design was by no Means to injure their Possessions, or incommode the Subjects of the States; as he made no Manner of Doubt, from the Friendship which subsisted between the two Nations, that they would observe a strict Neutrality towards his Enemies.' And in that of the 16th of the same Month, he says; 'I am well assured, that by reason of the strict Friendship, which is maintained between the King my Master and the States General, you, Gentlemen, on your Part, will not violate the Treaties, concluded between the two Nations,' N. B. BY SIDING WITH OUR ENEMIES.

Colonel *Oliv* also, and the Council at Fort *William*, at all Times, and on all Occasions, when they imagined they had any thing to apprehend from the Company's Servants, or had any Suit to prefer, appealed, in the strongest Manner, to that strict Bond of Peace and Friendship mutually subsisting; and at the same Time warmly urged, that whatever should be acted to their Detriment, would be considered by them as an Infringement of that Peace and Friendship; threatening, that they would treat us in the very same Manner. But if it is true, as the Servants of the *English East India* Company maintain, and we perfectly agree, that, consistently

sistently with that reclaimed Peace and Friendship, the Servants of the *Dutch* Company could not grant the *Nabob* any Assistance against the *English*; so at the same Time it is no less true, that the often mentioned President and Council at *Fort William*, who not only gave the *Nabob* the required Assistance against the *Dutch*, but even, as avowed Enemies, fell upon the Subjects of your High Mightinesses, have thereby notoriously infringed those very Treaties, which they a little before had so justly reclaimed.

The Prohibition of every Act of Violence and Injustice is in the Treaty binding on both the Companies: Both are also bound punctually to observe the Treaties, which have been made between both Sovereigns.

And hence it follows, by undeniable Consequence, that if, as the *English* say, the granting Assistance to the *Nabob* against them, would have been, on the Part of the *Dutch*, an Infringement of the aforesaid Treaties; then also the said President and Council could not, without infringing the very same Treaties, comply with the pretended Demand of the *Nabob*: And their opposite Conduct in that Respect, is a striking and convincing Proof of the Equity of our Complaints, against the Acts of Violence and Hostility, which the *English* in *Bengal* have committed on the Subjects of your High Mightinesses, and which we, in examining the first Point of Complaint, have shewn in an undeniable Manner.

The second Point of Grievance, for which we hope, under the Protection of your High Mightinesses, to obtain an equitable Redress, is the Detriment, which the Commerce of the *Dutch* Company in *Bengal* has suffered, by the Acts of Injustice, and the Obstructions of the Servants of the *English* Company and their Dependants. It will serve to prove this, IN THE THIRD PLACE, That in 1758, the Servants of the *English* Company in *Bengal*, abusing their Superiority there, and the Dependence of the *Nabob* upon them, have engrossed the whole Saltpetre Trade, and that the Servants of the *Dutch* Company are in Fact excluded from any Share therein; under Pretext, that the sole Trade in that Product was granted exclusively to the *English*; and that they, on that Account, were authorized wholly to exclude the *Dutch* Company therefrom.

It would be superfluous to shew on this Head, how detrimental this Seclusion is to the *Dutch* Company: The Thing

is too evident, to require a more particular Detail, or farther Proof; nor did the *English* themselves ever once pretend the contrary: The Question therefore comes only to this, whether the Servants of the *English* Company are authorized to deprive the *Dutch* Company of the Freedom of Commerce in that Article? The Servants of the *English* Company maintain that they are; we imagine the contrary: And the Grounds on which we build are these:

First, the *Dutch* Company has, by Virtue of the Concessions, which, at the Expence of immense Sums, were granted them by the *Great Mogul*, an undeniable Right to purchase Saltpetre and all other Commodities, in what Place soever they are produced, either at the first Hand, or from any Person whatever: Which Right also the Company hath always peaceably enjoyed, till, in the Year 1756, the often named *Nabob Serray Uddoula* attempted by Violence to obstruct this Freedom of purchasing Saltpetre.

Secondly, According to the above-cited 12th Article of the Treaty of *Breda*, and the separate Article of the Treaty of *Westminster*, of the 18th of *March* 1675, the respective Companies could have no Right to do any Injury to each other, but are obliged to promote each other's mutual Advantage: For, from these Premises, which are incontestable, it is certainly evident, that the *English East India* Company is no ways authorized to seclude the *Dutch* from an Article, in which, by Virtue of the Privilege granted them, they may freely trade; and an Article of such Importance too as the Saltpetre Trade is; seeing such an Exclusion openly and directly clashes with the Tenor of the above mentioned Treaties.

The Company's Servants therefore did not neglect, as soon as they were acquainted with that extorted pretended Privilege, to oppose it by reiterated Instances and Remonstrances, both to the *Nabob*, and to the President and Council of *Port William*: Yet in every Respect to no Purpose; the *Nabob* only answering to the said Remonstrances: 'That he had, through the Channel of Colonel *Clive*, ceded this Affair to the *English*, and that the Company's Servants must apply to the Colonel, as he could not take the Affair out of his hands.'

As the *English* Company's Servants, notwithstanding the Representations made to them, continued to seclude the *Dutch* Company entirely from the free Purchase of Saltpetre; pretending, 'That the Servants of the *Dutch* Company had, the

the Year before, presented a Petition to the former *Nabob, Seraray Uddoola*, to procure the exclusive Commerce in that Salt for the *Dutch Company*: And further, that the granting such a Privilege was no new Thing; seeing the *forenamed Seraray Uddoola* had granted it in 1756 to a certain Native, *Cboja Wazid*.

But in regard to the *first Pretence*, the Servants of the *Dutch Company* have shewn the Falsity thereof, and by the Exhibition of the said Petition proved, that its sole Drift was, to represent to the *Nabob* the Prejudice, which by this exclusive Grant, (to *Cboja Wazid*) would accrue to established Privileges of the *Dutch Company*; and consequently to procure from him, for the *Dutch Company*, the Freedom, according to the standing Custom, of making the necessary Purchase directly of the *Saltpetre Boilers*, without the Intervention of others: That the Design of that Petition was also solely, in order to hinder the farming of the *Saltpetre* from being left in the Hands of the *Moors* alone, that they might not have it in their Power to set what Price they pleased on that Product to *Europeans*. Nor was there in the whole Petition a single Word, from which it could be inferred, that the Servants of the *Dutch Company* had a Design exclusively to engross this Trade, or to exclude the *English* therefrom.

As to the former Grant of that Privilege to the *forenamed Cboja Wazid*, we imagine that such an Example cannot be extended to justify what the *English Company's* Servants maintain; seeing such Concession hath always been made in Violation of the Privileges which belonged to the *Dutch Company*; against which, on their Part, every imaginable Solicitation was employed, by which Means the Right of the Company was preserved, though the actual Exercise thereof was forcibly interrupted: Besides, there is a very wide Difference between the two Cases; the first Concession was made by a lawless Tyrant, arbitrarily, and in Favour of a private Merchant, who had no Manner of Connection with the *Dutch Company*, to prevent his excluding the said Company from any Branch of Trade, but was at full Liberty to pursue his own particular Advantage, how detrimental soever to the *Dutch Company*: Whereas, on the contrary, the last Grant was made by a Prince, of whom the *English Company's* Servants give the best of Characters; who also was constrained (by what Means we shall not determine) to make
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that Concession, not to a private Merchant, who had no Connection at all with the *Dutch*, but to the *English East India Company*, which is so closely connected with the *Dutch*, and which, by the aforesaid Treaties, is especially and expressly prohibited from encroaching on the *Dutch Company's* established Privileges, and which, besides, cannot, consistently with the Treaties subsisting, seclude the last mentioned Company from so capital a Branch of Commerce.

The Difference between the two Cases is therefore much too great to admit of any Comparison: And the Precedent of the *Moor Cboja Wazid* affords no Shadow of Justification to the Servants of the *English East India Company*.

A second Article of Grievance, of which we may properly speak under this Head of Complaints, 'is the Obstacles ' which the Servants of the *English Company* have thrown ' in the way of the *Dutch Company*, with respect to Callico Trade: ' Which Obstacles, Vide N^o 11. by the last Accounts from the Director and Council at *Hughley*, were come ' to such a Height, that the ' Company's Servants were sufficiently put to it, to procure ' a few Pieces from the Weaving-Places; as the *English Gomastors* violently seized all that were in the Weavers ' Hands; and as soon as a Piece of Cloth was finished, cut ' it from the Loom and carried it off, threatening all the ' Weavers and other Tradesmen, that if they presumed to ' make for, or sell to any other Persons, especially the *Dutch Company*, any Cotton-Cloth, but to the *English* alone, ' they should be severely punished; as several who furnished ' the *Dutch Company* with some Pieces have already experienced.'

The Director and Council at *Hughley*, in Consequence, laid their Complaints on those Outrages and Obstructions to their Commerce, before the President and Council at Fort *William*: On the first Representations, they disowned their *Gomastors* having been guilty of any Violence at the Weaving-places, or putting any Impediments in the Way of the *Dutch Company's* Servants: But being afterwards convicted of both Charges, they, from the Teeth outwards, promised, and undertook to look into this Matter, and forbid their *Gomastors* from interrupting the *Dutch* Servants in providing the necessary Pieces of Cloth; But the Affair stuck at this external Promise, without any effectual Redress.

We could, High and Mighty Lords, under this Head of our Complaints, bring still more Articles of Grievance, chargeable on the *English Company*: But we shall not further

trouble your High Mightinesses, as we imagine it not a Thing altogether hopeless, to have those Points in Dispute, between the respective Servants of the two Companies in the *Indies*, properly accommodated.

The only Thing, of which we must further speak, on this Occasion, is a Pretension or Claim, which the *Dutch*, Company of this Country has on the *English* Company, in Consequence of a certain Convention, concluded in *Bengal* in the Year 1729, between the Governor and Council of the *English East India* Company, and the Director and Council of the *Dutch*: The due Execution whereof, the Company's Servants in *Bengal* have repeatedly demanded of the Governor and Council of the *English East India* Company: And which at length the latter absolutely declined, on this Pretext, that they had acquainted their Superiors in *Europe* therewith, and were not impowered to enter into any Negotiation about it: So that we are constrained on this Occasion particularly to mention that Claim here.

The third Point to be complained of, as we afore said, is,

‘ That by the Outrages and unwarrantable Treatment, received at the Hands of the Servants of the *English East India* Company, and other Subjects of his *Britannic* Majesty, by several Dependants of the *Dutch* Company, many very important Damages and considerable Losses have accrued: And the first Incident, relative thereto, is this: In the Month of *October* 1757, a particular *Grab*, named the *Charlotte*, was taken by Admiral *Pocock* and with its Lading declared a lawful Prize; which *Grab* was freighted and sent to *Bengal* by some Servants of the *Dutch* Company in *Surat*, upon their own private Account: Concerning which Transaction, we have received from the Company's Servants in *India*, the following Particulars, viz.

‘ That in the Month of *April* 1757, some of the Company's Servants at *Surat*, on their own private Account, hired the aforesaid small Ship, the Property of one *Benjaans*, a Merchant there: That they loaded her solely on their own private Account with Cotton; and that excepting some few Goods on Freight, the Property of trading Natives, and the small *Pacodillas* or Ventures, of the Officers and Ships-Crew; none, besides the Freighters, had any Share or Interest in the Lading; That the said Vessel was provided with a proper Passport, in order to sail along the Coast of *Coromandel* to *Bengal*, and thence to return again to *Surat*.

‘rat under the Command of *Anthony Biquant*, who, on the 28th of *January* preceding, was, at his own Request, admitted, as a Freeman, by the Director and Council of the *Dutch Company* at *Surat*, to earn his Bread among the *Dutch*, and who, on the 6th of *March* of the same Year, had taken the Oaths of Fidelity to the States and the Company.’

‘That this *Grab* was, upon its Voyage to *Coromandel*, taken by an *English* Man of War, under Pretext that she was laden on *French* Account, and commanded by a natural Subject of the King of *France*: That the said *Grab* was afterwards carried, first to Fort *St. Davids*, and afterwards to *Madraspatnam*; but there afterwards released, upon finding that she was not a lawful Capture: That the said small Vessel, proceeding afterwards on her Voyage to the *Ganges*, was again taken in the Month of *October*, and by the said Admiral *Pocock* declared lawful Prize, on Pretence, that she was freighted on *French* Account: That the Time limited in the passport being elapsed, the Vessel was to be considered as unprovided of a Passport:’ And lastly, ‘That the Commander was a natural Vide N^o 12. Subject of the King of *France*;’ the said Admiral maintaining, as appears by his Letter of the 20th of *October* 1757, that by certain Ordinances of his Most Christian Majesty, it was enacted, Article 10: ‘That if the *States of Holland* should grant Passports or Letters of Licence to Owners or Masters of Ships, the Subjects of an Enemy of *France*: excepting such Owners or Masters, who, before the Declaration of the present War, were favoured with the Freedom of *Holland*, their Ships and Merchandize should be confiscated, seeing they were to be considered as the Property of the Enemy, though the Ship were built in *Holland*.’

And Article 4. ‘The *Dutch* must take Care, that the Supercargo, Clerk, or Sea-Officer, be not a Native of any Place which is at Enmity with *France*; and that no more than one third Part of the Ship’s Crew be Subjects of the Enemy: If those Particulars are not observed, the Ships are to be deemed lawful Prize, and held suspected of being the Enemy’s Property.’ And therefore that he, the said Admiral, was thus authorized to declare the said *Grab* lawful Prize, as being commanded by a natural Subject of the King of *France*.

The aforesaid Account contains further: ‘That the Persons concerned in the above mentioned Vessel, as well as the

the Director and Council of the *Dutch Company* in *Bengal*, had endeavoured to convince the said Admiral of the Groundlessness of the Reasons adduced by him for carrying off the said *Grab*; but without any Effect; and that therefore the said Director and Council had, for preserving the Right of the Freighters entire, and enabling them to apply in due Time for their Guaranty, on that Account expressly entered their Protest.

We have, High and Mighty Lords, with the requisite Attention, examined the Answers exhibited by the Persons concerned in Justification of their reclaiming the captured *Grab* and its Cargo, and have found therein a compleat Proof of all the Facts on which their Claim is founded.

In particular, it appears to us from those Answers, that the aforementioned Vessel had been previously taken, and carried to *Madras*; and though this was done, on the same pretended Grounds, as were alledged by Admiral *Pocock*, she was nevertheless released.

Further, that the said Admiral did, by his Letter of the 6th of *November* 1757, sufficiently acknowledge the Groundlessness of the two first mentioned Reasons: And that for the Justification of his Conduct, he at last insisted on this; that the aforementioned *Biquant* was a Native of *France*, and that the above mentioned Ordinance of his Majesty, the King of *France*, gave him, the Admiral, a Right to declare the aforesaid *Grab* and Cargo lawful Prize.

We also judged, that in this Case there was not the least solid Reason, to justify the Confiscation of that Vessel and Cargo. For, as the said Admiral probably meant, by the above-cited Ordinance of his Most Christian Majesty, a certain Memorial, drawn up at *Paris* in the Year 1756, by a private Hand, 'for the Instruction of the commercial and navigating Subjects of this State, in order to put them on their Guard, during the aforesaid War, against the Vexations of *French Privateers*;' which Memorial was, soon after published here without any Authority: This may serve as a full Confutation of the Argument, which the said Admiral endeavours to draw from that Memorial. Your High Mightinesses never considered this Memorial in any other Light than as a private Piece, containing old Orders, or former Rules of Conduct, during preceding Wars; and your High Mightinesses caused this to be declared by your Ambassador at the Court of *France*. But if the said Admiral had in his Eye, not this Memorial, but a certain Regulation or Ordinance of his Most Christian Majesty, touching Captures made

made at Sea, and the Navigation of neutral Ships, dated the 21st of *October* 1744, out of which the aforesaid Memorial is for the greatest Part framed; that could make no Alteration in this Case, as your High Mightinesses caused several Representations to be made at the above mentioned Court against that Regulation; the Effects whereof are sufficiently known to your High Mightinesses.

Moreover, neither the last mentioned Regulation, nor the foregoing Memorial, was ever published in the *East Indies*, nor ever observed or executed there, as may be shewn by several Instances. And, at all Events, the aforesaid Regulation, however understood, or actually executed by his Most Christian Majesty, could not give the *English* Admiral *Pocock*, any solid Reason or Right to declare the aforesaid *Grab* and Cargo lawful Prize; seeing that Regulation was made by the King of *France* only; and being considered as a Law and penal Order, by which those concerned were to govern themselves, this Law could not be binding on any but the Subjects of his Most Christian Majesty, and could authorize his Subjects only, to take and condemn as lawful Prize the Ships and Goods of neutral Subjects, who, being bound to act by that penal Ordinance, did not comply therewith.

The aforesaid Regulation therefore is not applicable to Captures, carried in by any but the Subjects of his Most Christian Majesty; and above all, it cannot be applied to Ships and Goods, appertaining to Subjects of this State, and taken by his *Britannic* Majesty's Officers; because his *Britannic* Majesty never declared, and perhaps could not, consistently with Treaties, declare, that his Majesty wanted to bind down the Commerce and Navigation of the Subjects of your High Mightinesses to the Limitations and Orders, contained in the above mentioned Regulation of the King of *France*. Justice, Reason, and Equity, however, required that in Case his late *Britannic* Majesty, of most glorious Memory, had determined, that such Limitations and Orders should be observed, his Majesty should, and doubtless he would, have caused the necessary Notification to be made: For, according to the Principles of the Law of Nations, neutral Ships and Goods cannot lawfully be captured, solely upon that Principle, that the Masters or Supercargoes of those Ships are natural Subjects of one of the Powers at War: Reason therefore dictates, that when any Power departs from that universal Law, it is absolutely necessary, that Power make an express Law or Order, so far as he deviates from that universal

versal Law: And Equity requires, that the Power, which has an Authority to make such a Law, and has the undoubted Will and Ability to inflict the Penalties, annexed to the Breach of it, by force of Arms, should first of all duly notify that Law to those concerned, that the Persons constrained to comply therewith, may at least be informed, what they are to do, or not to do, to prevent their being stript unawares of their Property.

We may therefore with full Assurance lay it down, that if his late *Britannic* Majesty, of most glorious Memory, had resolved to constrain the Subjects of your High Mightinesses to comply, in respect to his Majesty, with the Limitations and Orders, made in the often mentioned Regulation of the King of *France*; his Majesty would, at least have notified this his Will and Pleasure: And we cannot, without doing the highest Injustice to the Memory of his said *Britannic* Majesty, presume, that his Majesty would, without any previous Notice, have authorized his Officers and Subjects to take, and by Virtue of an Arrangement made by the King of *France*, condemn, as lawful Prize, the Ships and Goods appertaining to the Subjects of your High Mightinesses; who, resting securely on the Law of Nations, and on the particular Treaties subsisting with the Crown of *England*, were carrying on a Commerce in all Respects allowable. It is therefore a Procedure quite unwarrantable, and fairly chargeable with Outrage, that the often mentioned Admiral *Pocock* should have taken upon him, without Authority, and without any Orders from his *Britannic* Majesty, to cause to be taken, and condemned as lawful Prize, a Ship and Cargo, appertaining to the Subjects of your High Mightinesses, who had in no respect neglected to observe what, in Consequence of Treaties, they were bound to, and who had done nothing, but what they might, and were constrained to do: We say, High and Mighty Lords, *constrained*, because we have in our Eye the Circumstances, wherein the Subjects of your High Mightinesses, especially in the *East Indies*, not unfrequently find themselves, *viz.* the being obliged, for want of their own Countrymen, to employ Strangers in their Service: Which Use of Foreigners, especially of those, who have taken the Oath of Fidelity to the State, is optional to every one, as long as there is no Law against it; and which Use also, in the Case before us, could not afford the least warrantable Reason, to declare the aforementioned Goods lawful Prize.

The second Case, in which great Damage has accrued to the Servants of the *Dutch* Company by the Acts of Violence,

lence, and the unwarrantable Conduct of the Servants of the *English* Company and of their Dependants, relates to the Loss of the small Ship, the *Ann* : Concerning which the often mentioned Director and Council of *Bengal* in their Advices write, ' That in the Month of *May*, 1758, they had ' dispatched to the Road of *Bellafor* two Pilots with their ' Shallops, in order to place the necessary Tun-buoys in the ' Mouth of the *Ganges*, and further to cruise for the *Dutch* ' Ships and Vessels coming from Sea : That those Vessels being ' come before the *English* Fort of *Calcutta*, were by Order of ' the Governor there, *Roger Drake*, hindered from proceeding farther, and in a violent Manner forced to turn ' back again.

' That the said Director and Council having, by Letter of ' the 26th of *May*, 1758, complained thereof to the aforementioned Governor, and to the Council of the *English* Company of *Bengal*, and having, at the same Time, sent again ' the said Pilots to the Road of *Bellafor* ; the aforementioned Governor and Council made answer, by a Letter of the ' 29th of *May*, that they would not as yet suffer any Shallops or Pilot-boats of the *Dutch* Company to sail to the ' Road of *Bellafor* : but that as soon as they could, without ' endangering their own Security, permit it, they would acquaint the often mentioned Director and Council ' with : That consequently the Pilots, thus dispatched a second Time, were stopt as before, and forcibly constrained ' to return back : That the said Director and Council had, ' by a Letter of the 5th of *June*, made stronger Representances on that Head, and at the same Time insisted on a ' free Passage for the said Pilots, with a Representation of ' the Danger, to which the expected *Dutch* Ships were exposed, and under Protest against the Damage and Detriment, which might arise from the arbitrary and unwarrantable Conduct of the said Governor and Council.

' That in the mean Time, on the 30th of *May*, the small Ship, the *Ann*, belonging to some Dependants of the ' *Dutch* Company in *Bengal*, came to anchor in the Road of ' *Bellafor* : That she in the Evening, about eight o'Clock, ' having, in a violent Storm, lost her first Anchor, about ' ten o'Clock, the second, and shortly after the third and ' last Anchor, the Officers of that Vessel were in the utmost ' Distress : That having discovered two *English* Pilot-Boats, ' which lay at anchor in the said Road, they fired several ' Signals of Distress, and used every other Effort to make ' the Pilot-boats come to their Assistance : But that they, ' on hearing those Guns of Distress, had put out their

‘ Lights, and lay still at anchor, without giving any Assistance to this distressed Vessel : That the Storm increasing, and no Prospect or Means of Safety remaining, the said Officers resolved to sail up the River, and got happily over the first Bank, but the Vessel struck with such Violence on the second, that she was utterly lost, with her whole Cargo and some of her Hands.

‘ That considering the Loss of that Vessel was (in all human Probability) to be ascribed solely to her Officers being constrained to sail up the River without the Assistance of Pilots ; the said Director and Council therefore, at the Instance of the Freighters, demanded of the said Governor and Council, the Reparation of the Damage and Detriment, accruing to the said Freighters by the Loss of that Vessel, as the said Governor and Council, with their Pilots, were the only Cause, that the Officers of that Ship were deprived of the needful Assistance ; the former having violently hindered the Pilots of the *Dutch* Company from proceeding to the Road of *Bellafor* ; and their Pilots having had the Inhumanity, with premeditated Malice, to behold that Vessel in the utmost Distress, without affording her any Assistance.

‘ That the said Governor and Council having, on divers frivolous Pretexts, waved the demanded Reparation, the Director and Council aforesaid urged it more closely, and at the same Time, in order to preserve the Right of the Freighters entire, entered a formal Protest thereupon.’

We have, High and Mighty Lords, upon the strictest Examination found, that the often mentioned Governor and Council did, by their Letter of the 29th of *May*, acknowledge : ‘ That they had actually hindered the Pilots, who were dispatched by the said Director and Council, to sail to the Road of *Bellafor* ; also, that they roundly declared, they would continue to hinder it, till they should determine when it would be proper to allow the said Pilots to go up :’ That moreover, in their Letter of the 10th of *August*, they pretended that their Pilots disowned their having seen the often mentioned small Ship ; upon which, and some other frivolous Pretexts, they endeavoured to exculpate the Pilots : Yet that, upon comparing their Answers, the Falsity of that Pretence, as also the Groundlessness of their farther Pretexts, was plainly to be seen.

We may therefore lay it down as an established Truth, that the said Governor and Council by their thus criminally hindering, and the aforementioned *English* Pilots by their

their punishable and inhuman Conduct, were the sole Cause of the Disaster, which befel that Ship: and as Justice and Equity require, that the Damage and Detriment accruing, should be made good by those Persons, who by any unwarrantable Act, and by any inexcusable Neglect, were the Cause thereof: We could not, being requested by the Freighters of the said Ship, avoid presenting also, on this Occasion, to your High Mightinesses the well-grounded Complaints of those Freighters, and their equitable Instances, to recover the Damages they have sustained by the Loss of the said Ship, *Ann.*

Thus therefore having finished the Design we proposed to ourselves in the Introduction to this Memorial; and at the same Time proved and justified, to the Satisfaction of your High Mightinesses, as we hope, the Complaints we were constrained to lay before your High Mightinesses, we must now further have recourse to your High Mightinesses, by Way of humble Petition, That it may please your High Mightinesses to take the *East India* Company of this Country and their Dependants into your High Mightinesses particular Protection; and by your powerful Intercession with his *Britannic* Majesty procure the said Company proper Satisfaction for the Acts of Violence and Hostility, which the Servants of the *English East India* Company, and their Dependants in *Bengal*, have committed on the *Dutch* Company, and at the same Time full Reparation of the Damages they have sustained.

Also, That all the Injuries and Obstructions by which the said Company hath been impeded in its Commerce, be repaired and removed.

Further, That full and express Orders be dispatched to the respective Governors and Councils of the *English* Company in the *Indies*, to terminate with those of the *Dutch* Company there, in an amicable Manner, all farther Matters of Dispute, which as yet stand open between the two Companies, and make prompt Satisfaction for what the *English* Company is fairly indebted to the *Dutch*; as we shall not fail to give the like Orders to the Servants of the *Dutch* Company.

Moreover, That to the Freighters of the abovementioned *Grab*, the *Charlotte*, as also to those of the often mentioned small Ship, the *Ann*, be made good the Damage and Loss, which the former sustained by the unwarrantable Capture and Condemnation of the said *Grab*; and the latter, by Shipwreck of the aforementioned small Vessel, the *Ann*.

And lastly, that the Directors of the *English East India Company* at *London* be expressly charged to observe punctually, as also to cause their Servants and Dependants in the *Indies* to observe the Treaties and Alliances, subsisting between his *Britannic Majesty* and your High Mightinesses, and in consequence thereof to abstain from all Acts of Violence and Hostility against the Settlements or Servants of the *Dutch Company*: Not to injure them in their established Privileges; nor to cramp their Commerce by any Restraints, or other unreasonable Means. But in all Respects to keep up and preserve a sincere and friendly Intercourse of Neighbourhood, according to the Tenor of the abovementioned Treaties; as we on our Part shall do, and take care to continue to have it done by the Servants and Dependants of the *Dutch Company* in the *Indies*.

To our Defence, High and Mighty Lords, we are also indispensably obliged to add our humble Suit for the particular Protection of your High Mightinesses with the greater Importunity and Ardor; as on the Redress of our abovementioned Grievances depends the Fate of the Settlements and Commerce of the *Dutch Company* at many Places in the *Indies*: For, if the *English East India Company*, supported by the King's Ships and Troops, continue to have in their Hands the Power, which for some Time past they have had there; while, on the one hand, this Power in *Bengal*, and who can tell, where else besides, is employed, in defiance, and in the avowed Violation of the most solemn Treaties and Engagements, violently hindering the *Dutch Company* from protecting their Settlements, and securing their Commerce there; And on the other hand, the Servants of the said Company, under Favour of that Superiority, are enabled, to the entire Seclusion of the *Dutch Company*, wholly to engross this and other capital Branches of Trade; and with a View to farther Branches of Commerce, to traverse and obstruct the Trade of the *Dutch Company*, by every unwarrantable and oppressive Means; then will, then must, to our bitter Regret, the Settlements of the *Dutch Company* and their Commerce very soon have a final Period, not only in *Bengal*, but in other Places besides.

The ill Consequences, which must unavoidably arise therefrom, are so visible and of such Moment, that with the profoundest Respect, yet at the same Time with that Warmth and Zeal, which the Importance of the Thing calls for, we must solicit your High Mightinesses to take in-

to your serious Consideration the visible Danger, to which many capital Settlements of the *East India Company* of this Country are exposed, and consequently to grant the said Company such effectual and adequate Aid and Assistance, as your High Mightinesses in your great Wisdom shall judge necessary, for the Protection and Security of a Company, whose Preservation and Prosperity so remarkably concern the Common-weal of this Country.

We therefore conclude this Report with a sincere Wish, arising from the Bottom of our Hearts, &c.

(Signed underneath)

Your HIGH MIGHTINESSES

Subjects and obedient Servants,

The Directors of the General

Privileged Dutch East India Company,

*Amsterdam, the 2d
of March, 1761.*

(Signed Lower)

By Order of the same,

C. VANDER HOOP.

I 2 APPENDIX

Collected with the above mentioned Testification of a 1st-
ed. lying in the East India Company's House at Am-
sterdam.

Signed

C. VAN DER HOOP.

APPENDIX.

No. I. *Translation of a Letter, written in English, by Admiral Charles Watson, from on board the Kent, at Culpy, on the 14th of December, 1756, to the Director Bisdöm, and received the 18th.*

THE Misfortune which has befallen the English East India Company, by being in so violent and lawless a manner, forcibly driven out of their Settlements in this Province, plundered of their Property, and treated in their Persons, with the utmost Rage and Cruelty, accompanied with all possible Marks of Disgrace and Contempt, is the reason I am come here with his Britannic Majesty's Squadron, in order to re-establish them in their Settlements, Rights, and Privileges, to procure them ample Satisfaction for all the Acts of Injustice and Disgrace which they have received, as well in their Property, as in their Persons, and to wipe off the Stain and Reproach, which, in some measure, affects all European Nations, by the *Nabob's* treatment of the English, and with the Purpose and Resolution of doing every one Right and Justice. I am fully convinced that I have no Opposition to apprehend, either secret or open, from any European Nation whatever, especially from one so long and so closely united in the strictest Bands of Alliance and Amity. Persuaded of the Truth of this, I should have thought it unnecessary to acquaint you with my Purpose of carrying on the War against the *Nabob* and his Subjects, had I not, before my Arrival, been informed, that he demanded your Aid, both in Ships and Men, in order to act against the Subjects of the King my Master. My duty to him obliges me to inform you, that if you grant the assistance which the *Nabob* demands, I shall consider such Step as an open Declaration of War, and act accordingly.

I should be extremely sorry to find myself, in duty, obliged to requite, in such a manner, the good and friendly Offices which you have lately done my poor, unhappy, distressed Countrymen, and of which I have the justest and most tender sense.

I have the Honour to be (underneath stood), Sir, (lower) Your very humble Servant, (signed) Charles Watson. (On one side) On board his Britannic Majesty's Ship, the *Kent*, at *Culpy*, in the River *Hugbley*, the 14th of December, 1756. (Underneath stood) (collated) Jacobus Eilbracht, Sworn Clerk, (laterally) Before the *Revisal*, (signed) Casparus Eilbracht.

Underneath stood

Collated with the above-mentioned Translation of a Letter, lying in the East India Company's House, at Amsterdam.

Signed

C. VAN DER HOOP.

No. II.

No. II. *Extract from the Resolution taken by the Director Adrian Bisdorn, and the Council, on Account of the Dutch East India Company in Bengal, at Hughley, Thursday the 4th of October, 1759.*

Forenoon; extraordinary Meeting; absent the Director, through Indisposition.

TWO Secretarial Declarations of Capt. Zuidland, and the Agent Trembly, were read, containing the Acts of Insolence and extraordinary Outrage, committed upon them on their Return from *Majapour*, and in their passing by the Moorish Fort *Tanna Makwa*, by the English Military posted there, as follows:

This Day, the 4th of October, 1759, appeared before me, *Martinus Koning*, first sworn Clerk of the Secretary's Office, at *Bengal*, present the hereafter named Witnesses, *Lucas Zuidland*, Ship-Master, for this Factory; who, at the Requisition of Mr. *Adrian Bisdorn*, Director of the *Bengal* Settlements, and, in Justification of the Truth, declared, as he does by these Presents, That having lately *ex officio* repaired to the Place where the Ships lay at Anchor, on his Return thence, on the 29th of September, at five in the Afternoon, over against the Moorish *Tannas* (Watch-place) *Makwa*, five Europeans in their Jackets, with four *Telingas* (Indian Soldiers) or *Seapoys*, came into his *Bassora*, all of them armed, and insisted on visiting all he had in the Vessel: That this informant caused the Shutters of the fore and after Hatchway to be set open, and having shewn them three Chests of Treasure, the Company's Property, chained and hooped, as they were by him brought from on board the *Vissoliet*; one of the aforesaid Europeans, a Subaltern, pretending that in the other part of the *Bassora*, there were *Malajans*, (as the Informant had owned there were, being brought from on board the said Vessel, in order to their getting some Refreshment, *viz.* two Captains, a Lieutenant, and about five or six of their Servants, all indisposed); the Key of the said Room, the Door of which was in the mean time shut by those Men, for fear of the *Telingas*, and not locked, was demanded, but refused by the Informant: Whereupon they threatening to burst open the Door, it was answered, they might do so if they pleased: That the Informant being thereupon declared to be under Arrest, and for that reason ordered to put in for the Shore; he saying that they had no Authority to order him to put ashore, requested that he might remain in the *Bassora*, especially as the aforesaid Company's Treasure being under his Care, he was answerable for it: That all this made no Impression on the said Subaltern and his Men; but that tho' he, the Informant, consented to put in for the Land, wherever they pleased, took him by the right Arm, and pushing him forward, carried him on shore, into a Soldier's Tent in the Fort, guarded by six Europeans and eight *Telingas*: That the Informant did afterwards request the Serjeant to let him have some Paper, Pens,

Pens, and Ink, from his *Bassora*, out of which they had in the mean time taken out the aforesaid *Malayans*, who were all disarmed, together with two Fusils, mounted with Silver, two Pistols, a Bag with small Shot, Balls and Flints, as also a Powder-Flask with Gunpowder, the Property of the Informant, in order to write to Col. *Clive*, to acquaint him with his Arrest; which was refused him by the said Serjeant, who told him it should be done for him, as an arrested Person was not allowed to write: That the Informant requested two or three times that he might be allowed to speak to the Commanding Officer, but was always denied: And besides, the *Telingas*, whenever he, the Informant, said any thing, threatened him, cocking their Pieces, and laying hold on their Bayonets, to shoot and stab him: That he, the Informant, about eight o'Clock in the Evening, according to the Declaration made to him by the Serjeant, of being allowed to go to his *Bassora*, was carried to that Vessel by four Europeans and four *Telingas*, and three Hours after Word was brought him, that he might set sail: That he, the Informant, from a Regard to the Company's Interest, and to the Refusal made him of the *Malayans*, who were stript of their Gold, Silver, and Clothes, by the *Telingas*, and notwithstanding his repeated Request, being denied any thing to eat, declared he would remain there all Night with his *Bassora*, which he accordingly did under the Guard of the aforesaid four Europeans and four *Telingas*: That the said *Malayans* were, in the mean time obliged, without so much as a Tent to lie in, to pass the whole Night on the muddy damp Soil, under the open Sky; and next Morning, about seven o'Clock, Orders came to send them down in two Vessels, under a Guard of six *Telingas* to each Vessel, and land them at two *Cosses* distance from the Ship *Vivoliat*: And lastly, that the Informant, the same Morning, after the two Fusils taken from him, the two Pistols, the Lock of one of which was wanting, and the Bag with some small Shot, were brought back to the *Bassora*, in company with the Agent *Trembley*, who came up thither a little after him, having unmoored and sailed to *Cakutta*, in order to make in the strongest manner, his Complaint in Person to the said Colonel *Clive*, on the aforesaid harsh Treatment, and extraordinary Acts of Hostility, and obtain, as soon as possible, the necessary Satisfaction and Reparation; yet that Day, being Sunday, and the said Colonel gone to *Dandam*, had not the good Fortune before the following Day, being Monday, the first of this Instant, to execute his Design: As soon as the Informant had notified what had happened, to the Colonel, he was not only received by him in a very friendly manner, but was promised the Satisfaction demanded for the Affronts and Brutalities that had been offered him.

Herewith the Informant concludes his Declaration, which he testifies to contain the Truth, and nothing but the Truth, given for the Reasons of his Knowledge, what he had seen, heard, and assisted at, together with the following Assurance of what he has testified, that he is ready to confirm the same, whenever called upon, by solemn Oath.

Thus

Thus done and declared, at *Hugbley*, in *Bengal*, the aforesaid Day, in Presence of *Frederick Brangman*, and *Christopher Meydemans*, Clerks of this Office, as Witnesses, who have signed the Minutes hereof, with the Informant and me, first Sworn Clerk.

Signed underneath,

Which witnesseth,

MARTINUS KONING,

First Sworn Clerk.

THIS Day the 4th of October, 1759. appeared before me *Jacob Eilbracht*, sworn Clerk of the *Bengal* Office, present the hereafter named Witnesses; *John James Baptista Trembly*, Agent in the Service of the Company here; who, at the Requisition of *Mr. Adrian Bisdom*, Director of these important Settlements, and in Vindication of the Truth, declared, That he, on the 29th past, on his Return from the Road of *Majapour*, (whither he was commissioned on the Company's Account) was stop't at the Moorish Fort *Makwa*, and tho' he made himself known, was in a violent and barefaced manner forced from his *Bassora*, with two *Malayan* Officers and their Servants, who were on board of him, and that by two Europeans only in their white Jackets and unarmed, yet accompanied by an armed Party of Natives, or *Seapoys*, with Threats of treating him, the Informant, ill, if he made any Resistance: That all this happened in the Presence, and by Command of an European, who had indeed a Sabre in his Hand; but otherwise no Appearance of a commissioned Officer, who gave him, the Informant, upon his demand, why he was stop't, for Answer, that it was by Order of Colonel *Clive*: That the Informant thereupon replied, that he made no doubt thereof, but imagined he was arrestable only in his *Bassora*, and was entirely ignorant that the two Nations were at War; but that notwithstanding he was used by the said European with brutal Threats and Imperincencies: That he, the Informant, directly said, he was content to repair to what Place soever should be thought necessary, without the Necessity of being threatened with the Sword, or ordering his *Seapoys* to screw on their Bayonets, and others to draw their Swords upon him; a Treatment scarcely practised against the greatest Criminals: That the *Seapoys*, and some of the Train of Artillery, imagining that he, the Informant, had Arms upon him, searched him in a barefaced manner; tho', upon his being arrested, they did not allow him to put on so much as his ordinary Dress, but dragged him in his Shirt to Land: That he, the Informant, on his going on shore, and turning about, observed, that his Slaves were in a barbarous manner dragged thro' the Mud, and treated as Beasts; and that one of them lost a great deal of Blood, from a Cut in the Head, which he received from the pretended Commander; and the Day following was busy before one of the Members of the Council of *Calcutta*, *Mr. Baker*, and one Captain *Gowind*, with some other Gentlemen; that on his Arrival at the Fort *Makwa*, he

he saw some *Malayan* Officers with their Servants, among whom were two carried off by Violence from his *Bassora*, sitting in the open Air, in which manner they were obliged to pass the whole Night, and for two Hours bound Hand and Foot; that it was with great Difficulty he was allowed to repair to the Soldiers Tents, where he found Capt. *Lucas Jumaanse*: *Zuydland*, a Member of the Council here, with whom he, the Informant, had set out from *Majapour*, and who, in like manner as he, the Informant, was, without any Regard paid to his Years and Character, brought on shore by Force. That the Request of the Informant, to be allowed to have his Coat and Hat fetched, together with those of the said Mr. *Zuydland*, proved fruitless: Nay, that they were not even permitted to have a Glass of Wine and Water brought from their *Bassoras*; but that two Hours after they were sent under a strong Escort to their Vessels, and treated anew with Insolence of Behaviour and Language; and that the said Escort kept Guard upon them the whole Night, notwithstanding the Colonel had sent Orders about eleven at Night to set them at Liberty, by the Serjeant's own Confession. That he, the Informant, on his Return to the *Bassora*, missed his Gold Watch, which hung by his Fusil, and also some Papers which lay under his Pillow, having thus saved nothing but his Fusil: That the Day following, when they were ready to sail, the arrested *Malayans* were sent off in two *Oslacks* under a Guard of *Seapoys*, who had Orders to land them at two *Coffes* distance from the Ship *Vifoliet*, and bind them Hand and Foot, if they made any Disturbance: That he, the Informant, had with great Difficulty procured some Refreshment for these People, seeing the Day before they had eat nothing, though he, the Informant, had requested Provisions for them.

Besides, that Capt. *Zuydland*, himself was hindered from writing about these Men to his Ship.

And lastly, that on this Occasion, most of the Servants were robbed of the little Cloaths about them, and other Necessaries, by the *Seapoys*, and that those of the Informant had sustained the greatest Loss.

All which being read, Word by Word, to the Informant, he declared it contained the whole Truth, being ready at any time, when called upon, to confirm by solemn Oath this his Attestation.

Thus done and declared at *Hugbley*, in *Bengal*, the Day aforesaid, in Presence of *Frederick Breugman* and *Abraham Roghe*, Clerks, as Witnesses: The Minute of this is properly
Signed underneath

Quod Attestor,

JACOB EILBRACHT, Sworn Clerk.

And afterwards the like barefaced Behaviour was carried too far, not to be resented in the highest manner: Agreed to complain thereon seriously to the Governor and Council at *Calcutta*, and to desire such Satisfaction may be made us and the Parties aggrieved, as the Importance of the Thing and common Justice shall require;

quire; as also, that the necessary Orders be given to the Guards, for preventing any more such Insults, &c.

Signed Underneath,

Collated with the Copy of the afore-named Resolutions, lying in the East India Company's House, at *Amsterdam*.

C. VAN DER HOOP.

No. III. CALCUTTA. To Robert Clive, *Esq*; Colonel of his Britannic Majesty's Forces, and Governor for the English East India Company, in Bengal, and to the Gentlemen of the Council.

Hon. Sir, and Gentlemen,

WE have received, with the utmost Surprise, the disagreeable News, that some of your European Dependants, accompanied by a hundred and fifty *Seapoys*, came this Morning to *Bernagor*, and demanded the Keys of our Company's House there, and afterwards hoisted thereon the English-Flag.

Now, as we neither can, nor must contrive such an Act any otherwise than as an open Aggression and Hostility, and an actual Declaration of War; so we have just Grounds, and find ourselves under the highest Necessity, to demand of you, Gentlemen, the Reasons of such Hostilities, as far exceed all the Bounds of Equity and Justice, and at the same time, in the Name of our Sovereigns, to complain and protest on that head; and moreover, to demand again Reparation and Satisfaction for such crying Acts of Violence, and to insist on sufficient Security and Assurance, that no such Thing shall in future be done: Or, at least, in case of Refusal, a positive and categorical Answer.

In which last Case, we then, Gentlemen, on the same Foot, as you in your foregoing Letter of the 13th Instant have done, require at the same Time, that we may be informed immediately, whether you are resolved to declare War against us; or, without previous Declaration, commence it; and besides, in Consequence of this, that you acquaint us, as soon as possible, whether the aforesaid Troops were authorized by you, Gentlemen, to so hostile a Conduct, and whether or no they are to proceed further by your Orders:

In Expectation of which, we are,

Hon. Sir, and Gentlemen,

Signed Underneath

Your ready Servants,

On one Side,

Hughley, 18th Nov. 1759.

A. BISDOM, G. L. VERNET,

L. ZUYDLAND, M. ISINCK,

J. BACHERACHT, S. de HOOG,

J. C. KIST,

R. H. ARMENAUULT.

J. L. v. SCHERICHAVEN,

M. BASTIANE,

Lower stood

Collated with the Copy of the aforesaid Letter, lying at the East India Company's House in *Amsterdam*.

Signed

C. VAN DER HOOP.

K

No. IV;

No. IV. CALCUTTA. *To Robert Clive, Esq; Colonel of his Britannic Majesty's Forces, and Governor, for the English East India Company, in Bengal, and to the Gentlemen of the Council.*

Hon. Sir, and Gentlemen,

LAST Night, on sending off our Letter to you, Gentlemen, we had the fresh Mortification, not without the greatest Surprise, to see ourselves insulted, in an hostile manner, by your Dependants, supported by some *Seapoys*. As, in coming down this River, they had the Assurance, within Sight and Reach of our Forts, to fire sharp Shot on our Vessels lying here at Anchor.

We cannot help thinking, and with Reason, but that those reiterated Acts of Violence have been committed by your Orders; a fresh Indication, that you, Gentlemen, appear plainly no longer to make any Account of the most solemn Treaties, subsisting between your Crown and our State, since you thus venture to break through them.

We could not, however, omit acquainting you, Gentlemen, therewith by these Presents, and we doubt not you will readily and naturally judge that it cannot be taken amiss of us, or in the least misconstrued, if we now inform you, that we have been constrained to recede, in this Case, from our wonted Moderation, and with Force to repel such Disturbers of the Peace; having found by Experience, that there was no dealing with such Persons, without employing the like compulsory Means.

You therefore, Gentlemen, must and can lay the Blame of the Consequences, arising from such dangerous Proceedings, on no body but yourselves.

We therefore further exhort you, Gentlemen, not to suffer yourselves to be betrayed into any pernicious Resolution, through the false and ill-grounded Reports of those *Seapoys*, who may have brought you any Account of this Affair; but rather consider this our Conduct, as an Effect of the Justice of that Self-Defence which we have been compelled to use.

On the other Hand, Gentlemen, you may be assured, that we are far from acting offensively, in any Respect against any one, much less against you, Gentlemen; but that in every Step we take, we seek and aim at nothing else, as we have already mentioned in our former Letter, but under the Blessing of Heaven, to defend ourselves against all Hostile Attacks and Acts of Violence whatever; and to do nothing in our present Circumstances, but what may stand justified in the Sight both of God and Man, and what the Interests of the Settlements, Rights, and Privileges, entrusted

ed to our Care, by our Lords and Masters, may require at our Hands.

We are,

On one Side.

Hon. Sir, and Gentlemen,

Hugbly, Nov. 19, 1759.

Your ready Servants,

Signed,

A. BISDOM, G. L. VERNET, R. H. ARMENAUULT,
L. ZUDYLAND, M. ISINCK, J. L. V. SCHERICHAVEN,
J. BACHERACHT, S. de HOOB, M. BASTIANE,
J. C. KRIST.

Lower stood

Collated with the Copy of the aforesaid Letter, lying at the
East India Company's House, in *Amsterdam*.

Signed,

C. VAN DER HOOP.

No. V. *Extract from the Report made by the Captain of the Ship Vlißingen, J. Janz. Zuydland, to the Director Adrian Bisdom, and the Council at Hughley, dated the 24th Day of December, 1759.*

In the mean time I received, by an English Lieutenant, a Letter, the Contents whereof, Translated, are as follows:

To the Commanding Officer of the Dutch Ships.

S I R,

I AM surprized to hear that your Troops have debarked on the Territory of the Honourable the English Company, without Permission obtained from the Governor and Council at Fort *William*. I assure you, by these Presents, that if you venture to land a single Man more, I shall construe it as an Act of Hostility, and exert myself to the utmost, to sink and disperse your Ships.

I am, &c.

Signed,

Dated on board the
Calcutta, the 22d of
November, 1759.

GEORGE WILSON.

Lower stood

Collated, so far as the Extract goes, with the Copy of the
aforesaid Report, lying at the East India Company's
House in *Amsterdam*.

Signed

C. VANDER HOOP,

No. VI. *Extract from the Report made by the Commissioners, dispatched from the Council, on Account of the Dutch Company in Bengal, to the Director Adrian Bisdon, and the Council, and dated the 5th of January, 1760.*

UPON our first Meeting and Conference at Garatty, two verbal Articles were proposed to us, by the English Commissioners, dispatched from the Council of Calcutta, Richard Becker, and John Cooke.

Whereof the first contained a Demand of Satisfaction for the Injury said to be offered, on our Part, to the English Flag.

The second required Reparation for all the Damages sustained on this Occasion; with a Declaration, that they had Orders, not to enter into any Negotiation, previous to our giving their Principals a satisfactory Answer to those two preliminary Points.

Such haughty and hard Propositions could not fail to produce in our Breasts, the greatest Disgust and Surprise: We therefore gave them plainly to understand, and openly declared, that such Conditions could not with any Right be required from an injured Party; that on the contrary we, on our Part, were authorized, upon just Grounds, to make those very Demands of them, as it was notorious that they had, by the Commission of every imaginable Act of Violence and Hostility, for a long time past, under the sivil Pretence of being the Nabob's Auxiliaries, brought on themselves, with regard to our Dependants, our Ships and Vessels, the Guilt of an open Infraction of the Peace, and of being the Aggressors.

Yet how just and well-grounded soever our alledged Reasons were, in other Respects, they continued immoveable on this Head, and maintained, that we, by detaining their Ships and Vessels, and consequently taking Possession of them, by unlading the military Stores, found on board them, and conveying them into our own Vessels, and moreover by taking down their Flags, were the first Beginners of Hostilities, and therefore under an Obligation of making full Satisfaction.

Hereupon we gave them seriously to consider, that they themselves were well apprized, that their Ships were taken by us, only by way of Retaliation or Reprisal, as their Principals were not to be brought to any reasonable Sentiments on that Head, and to prevent them from hindering the free Passage of our Ships.

That we knew nothing of the striking or pulling down, the English Colours; and that it must have happened absolutely without, or rather against your Honour's express Orders; possibly upon the first Arrival of the Ships, by the common Men, and by mistaking the Orders, which might have then been given them.

And lastly, that the Commanders of our Ships could not help judging the unlading the Military Stores, to be a necessary Step towards their own Safety, but never considered them as lawful Prize and Booty; which the more plainly appeared from the particular Receipts given for them.

Yet

Yet nothing could prevail to make our Opponents change their Mind.

Immoveable in their Views, tho' the Light of Truth darted so strongly upon their Eyes, that one might reasonably imagine, they could not withstand its Force, they roundly declared against entering into any Parley, or Conference, previous to our granting their aforesaid Demands; and even threatened, that the *Nabob*, their Principal, would no longer put off his Design of attacking and plundering us, unless we contributed every thing, that might serve to the appealing, and putting a Stop to, the Discontents arisen in his Mind.

So that now our future Security and Welfare solely depended upon an Accommodation with the English, and a Compliance with their Demands.

At last we remarked, after many Reasonings exchanged, that they were by no means to be brought off from their unjust Pretensions: We therefore begged of them to let us know, in what the Satisfaction, for the imaginary Insult put upon their Flag, should properly consist. Here they found themselves at a Loss, spent much Time in Consultation on the Answer, which they should give us. And at last the Uphot was, That we should declare before the Council of *Calcutta*, that whatever Dishonour might have been done, on our Part, to the English Flag in this River, was without your Honour's Orders, and a Matter of common Regret to us all.

We moreover represented to them, once more, with Regard to the second Article, the Damage done to our Dependants, our Ships, Vessels, and Goods: But they still continued in the old Tone, and insisted, that we, as Aggressors, had, by our own Deed, brought it upon ourselves, and thus had no Right to form any Pretensions upon it.

Herewith ended our first long-winded Negotiation, &c.

Signed underneath,

Collated with the Copy of the aforesaid Report, lying in the East India Company's House, in *Amsterdam*.

C. VANDER HOOP.

No. VII. *Articles of Accommodation, concluded between the Commissioners from the President and Council at Fort William, and those from the Director and Council of Fort Gustavus.*

In the Name of the Holy Trinity, Amen.

Be it known to all, and sundry, whom these Presents shall or may concern.

THE Honourable and Respectable President and Council at Fort William, and the Honourable and respectable Director and Council at Fort Gustavus, in these Parts, testifying an ardent Desire of allaying all the Contests arisen in Bengal, of obviating Calamities

Calamities so often experienced, putting an End to, ceasing, and removing out of the way, all Differences arisen, and re-establishing their several Possessions in perfect quiet, have for that End nominated, empowered and deputed to *Garretty*, the Place appointed for Conference, the following Honourable Gentlemen, *viz.*

The Honourable and respectable President and Council at Fort *William*, Messrs. *Richard Becker* and *John Cooke*, Counsellors: The Honourable and Respectable Director and Council at Fort *Gustavus*; Messrs. *John Bacheracht* and *John Charles Kist*, Members of the Polity and Justiciary Council.

Who, after having previously certified each other mutually of their full Powers, and given in the same in due Form, and also having deliberated on the Points, which their Principals had judged necessary to be inserted therein, came at length, upon mature Deliberation, to agree to a Pacification, from which has arisen a full Cessation of all Hostilities, both by Sea and Land, to be concluded under the following Conditions.

Demands of the English, and Answers by the Dutch.

Dem. **T**HE Director and Council at *Chinsura*, shall give a sufficient Satisfaction to the President and Council at Fort *William*, both on Account of the Dishonour done the English Flag, and of divers of our Ships being stopt at the Mouth of the River, by the Commanders of the Dutch Ships, contrary to all the Treaties and Alliances subsisting between the two Nations; and also of many other Hostilities committed by their Ships.

Ans. The Director and Council at *Chinsura* testify, That as they have always entertained pacifick Sentiments, in order to suppress the Contests arisen, which have interrupted the good Harmony that subsisted between the two Nations; and produced, and are still capable of producing in them, a most sincere Regret; and that all that was done in the Mouth of the River, with Regard to the English Flag, and the Dishonour put upon it, was done without their Order, and to their great Mortification, by the Ships Crews, just upon their Arrival, and by mistaking their Orders; with this Representation, they hope the Governor and Council will be pleased to rest fully satisfied.

Dem. The Director and Council at *Chinsura*, shall make good all the Damage done by their Ship-Masters, whether with or without their Orders, both to the Honourable Company, and to private Persons, and shall instantly deliver up all our Ships, Military Stores, and Effects.

Done at *Garretty*, the 1st of December, 1759.

Signed,

RICHARD BECKER,

JOHN COOKE.

Ans.

Ans. As the Dutch Ships have also suffered great Loss and considerable Damage, it seems hard to insist on an Indemnification; but what is still in being, shall be freely returned: We request the Governor and Council to take it into their just Consideration, and in case their Honours chuse not to depart therefrom, we shall endeavour to make Satisfaction.

Done at Garretty the 1st of December, 1759.

Signed

JOHN BACHERACHT,
and

J. C. KIST.

Demands of the Dutch, and Answers of the English.

Dem. **T**HAT the English, as being at Peace with the *Nabob*, shall prevail with him either to return back, or at least to keep quiet in his Camp, without giving us any Molestation; and to accept the Articles of our Agreement, so far as they regard him, both for the present and the future.

Ans. We have already employed all our Interest with the *Nazim*, and shall continue endeavouring to persuade him to march back his Army, as soon as the Dutch Government shall have fulfilled his Orders. The Articles agreed on between the English and Dutch, must not be confounded with the Treaty, which the Government of *Hugbley* is to conclude with the *Nazim*.

Dem. A Reciprocal Amnesty of all that has happened during the late Contests; moreover a full Assurance, that Friendship, good Faith, and Harmony, shall be kept up by the respective Superiors of both Nations, without committing any Acts of Hostility, under what Pretext soever, to be committed.

That both shall mutually exert themselves to maintain a good Harmony, and, as far as possible, lend a helping Hand to promote whatever shall tend to the Prosperity of each other, without directly or indirectly countenancing those, who may seem inclined to do any Detriment to the one or the other.

Ans. Approved, in so far as it is not inconsistent with the Treaty, we have entered into with the *Nazim* of the Country, and so long as the Friendship between our two Sovereigns holds good in Europe.

Dem. As the Dispute hath been carried on, neither by Virtue of any Declaration of War, nor of any particular Commission, our Troops and Seapoys cannot be considered as Prisoners of War, subject to a Capitulation; so that they must be set at Liberty, and suffered to march out with all the Honours of War.

Ans. The Dutch Officers and Troops are not considered by us as our Prisoners of War, but solely as those of the *Nazim*; and consequently we are clear to set them at Liberty, as soon as the Dutch shall have concluded their Treaty with the *Nazim*, excepting however, those who are willing to enter into our Service, or claim the Protection of our Flag.

Dem.

Dem. That we be left in the free, peaceable, and undiminished Possession of our Settlements, Commerce, Privileges and Prerogatives,

Ans. We have in no manner disturbed the Gentlemen of the Dutch Company in their Rights and Privileges, nor ever had the Intention of doing it.

Dem. That all the Ships, Vessels, Servants, Possessions, Settlements, Territories, Houses, &c. appertaining as well to the Honourable Company, as to particular Persons; and whatever is connected therewith, be declared free, and given up, in the Presence of reciprocal Commissioners, appointed for that Purpose.

Ans. All the Ships and Vessels, which are in our Possession, shall be restored, as soon as our Demands shall be complied with; or that we obtain Security from the Director and Council at *Hughley*, that they shall be complied with.

Dem. That as soon as possible, the Ratifications be, upon the Approbation of the respective Directors, exchanged on both Sides.

Ans. Granted.

Dem. And lastly, the two Nations shall mutually guarantee the foregoing Articles.

Ans. We cannot apprehend the Necessity of this Article.

Signed Underneath,

Done at *Gurressy*, the first Day of December, 1759.

JOHN BACHERACHT, and J. C. KIST.

Signed Underneath,

Done at *Gurressy*, the third Day of December, 1759.

RICHARD BECKER, and JOHN COOKE.

ENDORSED on the Back.

Unanimously determined, That the Use of the French Language, in some Copies of this Agreement, and its future Use in the Execution of these Presents, shall not be a Precedent, which the Principals, and respective Masters of the contracting Parties, shall be obliged to follow: But that in future it shall be optional to the Principals of the two Parties, to grant and receive such Treaties in a Language different from the French.

This Treaty, and the Appendix, are of the same Force and Obligation, as if the same Regulation were complied with therein; and the separate Articles, which may be added thereto, shall in like manner have the same Force, as if they were inserted in the Treaty.

In Witness whereof, we the undersigning Deputies of the Honourable and Respectable President and Council at *Fort William*, and of the Honourable and Respectable Director and Council at *Fort Gustavus*, Members of their respective Assemblies, have signed this Appendix or Endorsement, and ratified it with our Seals.

Thus done in our Place of Conference, at *Gurressy*, the third Day of December, 1759.

Signed,

(L. C.) JOHN BACHERACHT,

(L. C.) RICHARD BECKER,

(L. C.) F. O. KIST,

(L. C.) JOHN COOKE.

RATI-

RATIFICATION.

WE the undersigning do by these Presents accept the aforegoing Articles of mutual Agreement, negotiated and determined, in order to a general Pacification, between the Settlements and Servants of our respective Masters and Principals, by our Deputies appointed for that Purpose; viz. on the one Side, Messrs. *John Cook*, and *Richard Becker*, Counsellors at Fort *William*; and on the other Side, Messrs. *John Bacherachi*, and *John Charles Kist*, Members of the polity and justiciary Council, at Fort *Gustavus*, approving, confirming, and ratifying the same, in the Name, and with the Approbation, of our aforesaid Masters and Principals in Europe, promising, that we shall, as soon as may be, faithfully put in Execution the reciprocal Restitution, agreed on in the aforesaid Articles, in order to put an End to all the Contests and Misunderstandings which have arisen to this present Date; and moreover, make the Contents of these Presents, as far as is needful, known, by a solemn Publication to our Dependents, that the same may, in all the principal Points, be religiously observed, avoiding every thing which, in process of time, might interrupt the Friendship and peaceable Neighbourhood, now so happily re-established between our respective Possessions.

In Token of which we have subscribed these Presents, and ratified them with the Seals of the two Honourable East India Companies, established here.

One one Side stood,

Given at *Hugley*, the 6th of December, 1759; underneath the Seal of the Dutch Company, in red Wax.

Signed,

A. BIDDOM,

J. L. SCHREVELHAVEN,

G. L. VERNET,

S. DE HOOE,

R. H. ARMENAUULT,

and

M. LEINCK,

O. W. VALK.

On the other Side stood,

Given at *Calcutta*, the 8th of December, 1759; underneath the Arms of the English Company, in red Wax.

Signed,

ROBERT CLIVE,

J. V. B. SAMMER.

C. MANNINGHAM,

and

J. V. FRANKLAND,

J. V. M. Q. WIERE.

THOMAS BODDAM,

Underneath stood,

Collated with the Original, lying at the Secretary's Office in *Bengal*, by me (signed) *O. W. Valk*, Secretary; (lower) before the Translation (signed) *S. L. Garrison*, (lower still) collated (signed) *J. J. Kraan*, Sworn Clerk; (on one Side) Revised (Signed) *J. J. G. Baerman*, Sworn Clerk.

Lower stood,

Collated with the Copy of the aforesaid Articles, lying at the East India Company's House in *Amsterdam*.

Signed

C. VANDER HOOF,

No. VIII.

No. VIII. *Extract from the Resolutions, entered into by the Director and Council in Bengal, at Hughley, on Wednesday the 5th of December, 1759. Post Meridiem, Extraordinary Meeting, absent Capt. Zuydland.*

OUR Commissioners dispatched to the *little Nabob*, having, on their Return acquainted the Council, that he refused to accept the proposed obligatory Act or Bond, as it was couched; but rather gave them to understand, that he required it should be altered, and another given him instead thereof: The Members have, after seriously weighing the Matter, at length found it advisable, in order to satisfy the *Nabob*, tho' the granting such Acts be repugnant to the usual Methods of our Company, to dispatch it anew with this Alteration, that instead of offering to send away the Ships and Troops, &c. we had brought thither, we agreed to discharge, without further delay, the Europeans and Baggofes, that had come to our Assistance, as appears at full by the Translation of this Paper, which runs verbatim, as follows:

WE, the Director and Members of the Council, on Account of the Dutch Company, do promise, by these Presents, what follows; as,

First, That we will, without Loss of Time, send away the Europeans and Baggofes, whom we brought hither on board of our Ships, and discharge all the Europeans, Telingas, Musketeers, and Foot Soldiers, lately taken here into our Pay.

Secondly, That we will never bring any Troops into this Country of *Bengal*, or carry on War therein, or make any Preparations for that Purpose.

Thirdly, That we will keep no more than 125 European Soldiers in the Factories of *Bengal*, *Pattana*, or *Bellafor*.

Fourthly, That we will peaceably continue to carry on our Commerce in the same Manner as formerly; and in case, which God forbid, any Obstruction or Lett should fall in its Way, cause the *Souba* to be acquainted therewith, and solicit from him the necessary Redress in regard thereto.

Given the 14th of the Month *Rabbie Uffawe*, of the Year 1172, or the 5th of December, of the Year 1759.

Signed,

A. BIDDOM, G. L. VERNET, R. H. ARMENAUT, M. ISINCK, J. L. V. SCHEVIKHAVEN, JOHN BACHERACHT, S. DE HOOB, J. C. KIST, and O. W. VELK.

On one Side,

The Company's Seal, impressed in red Wax.

Underneath stood,

Translated by

Signed,

M. KONING.

Lower stood,

Collated with the Copy of the aforesaid Resolution, lying at the East India Company's House, in *Amsterdam*.

Signed,

C. VANDER HOOP.

No. IX.

No. IX. *Translation of a Letter from Colonel Robert Clive, written from the French Gardens, to the Director Bisdorn, the 14th of October, 1757.*

SIR,

THIS very Moment I have received a Letter from the *Soubah* of this Province, complaining of an Insult offered to the *Fauzdar* of *Hugbley*, by your refusing to give up to the Judges, a Subject who is guilty of Murder, and demanding, in virtue of the late Treaty of Pacification with the English, their Assistance for the obtaining of Satisfaction.

My great Respect for, and Attention to, the Welfare of your honourable Company, have prevailed with me to acquaint your Honour with these Particulars, and to enclose a Copy of the 13th Article solemnly ratified, and confirmed by Oath on one Side by the *Nabob*, and on the other by the English East India Company.

I am persuaded, Sir, when your Honour seriously weighs the fatal Consequences, which by the *Nabob's* Account may arise from your giving Protection to a Murderer, and refusing to give him up to Justice, your Honour will not hesitate a Moment to give the *Fauzdar* of *Hugbley* that Satisfaction; as I am very well informed that this has always been the Practice among Europeans, residing in the Province of *Bengal*.

I have the Honour, with much Respect, to be
Underneath stood,

Your Honour's very humble Servant,

Signed,

ROBERT CLIVE.

The 13th ARTICLE.

ON Condition that *Mier Jaffier Khan Babador* shall solemnly ratify, confirm by Oath, and execute all the above Articles, which the underwritten, on Behalf of the Honourable East India Company, do, declaring on the Holy Gospels, and before God, that we will assist *Mier Jaffier Khan Babador*, with all our Force, to obtain the *Soubaship* in the Province of *Bengal*, *Behaar*, and *Orisa*; and further, that we will assist him to the utmost against his Enemies whatever, as soon as he calls upon us for that End; provided that he, on his coming to be *Nabob*, shall fulfil the aforesaid Articles.

Underneath stood,

Collated,

Signed,

M. KONING, First Sworn Clerk.

Lower stood,

Collated with the Copy of the aforesaid Translation, lying at the East India Company's House in *Amsterdam*.

Signed,

C. VANDER HOOP.

No. X. *To the Honourable Mr. Adrian Bisdom, Director and Governor, and to the Council at Chinsura.*

Honoured Sir, and Gentlemen,

I Received your Honours Letter of Yesterday, informing me of your Observation, that our Troops are close by *Chaudanagar*, and that your Honours desired my Permission to send Deputies to me, in order to be informed concerning my Intentions. I must beg your Honours to be excused from seeing your Deputies at present, as I have too much Business upon my Hands: But your Honours may be perfectly well satisfied and assured, that my Intentions are not to injure or aggrieve your Honours Settlements, or any of the Subjects of the States of *Holland*, as I have no doubt, from the Friendship which subsists between our Nations, your Honours will observe a strict Neutrality with respect to our Enemies. I am,

Underneath stood,

Gentlemen,

Your Honours very humble Servant,

On one Side,

Ship *Kent*, lying off Fort
William, the 13th of
March, 1757.

Signed,

CHARLES WATSON.

Lower stood,

Collated with the Copy of the aforementioned Letter, lying at the East India Company's House in *Amsterdam*.

Signed,

C. VANDER HOOP.

To the Honourable Mr. Adrian Bisdom, Director and Governor, and to the Council of Chinsura.

Honoured Sir, and Gentlemen,

I Received this Morning, your Honour's Letter of Yesterday. I am well assured, that on Account of the strict Friendship, which is maintained between the King my Master, and the States General, your Honours will not, on your Part, transgress the Treaties between the two Nations, by supporting our Enemies. I have the Honour to be,

Underneath stood,

On one Side,

Calcutta, the 16th
of March, 1757.

Gentlemen,

Lower stood,

Your Honours very obedient and humble Servant,

Signed,

CHARLES WATSON.

Lower stood,

Collated with the Copy of the aforesaid Letter, lying at the East-India Company's House in *Amsterdam*.

Signed,

C. VANDER HOOP.

No. XI.

No. XL. *Extract of the Resolution taken in the Policy-Council, at Hughley, on Friday the 6th of October, Anno 1758.*

AFTERWARDS the Director communicated to the Council, how his Honour, by the Disorders and Oppressions of the English, &c.

Further, the Accounts lately received from the Weaving-places, relating to the present Circumstances of Affairs there, were imparted, and are here inserted as a Curiosity.

Translation of a Bengalish Letter, written in the Persian Language, to the Merchant Totaram, a Native, by his Gomastos Jegger, Naat Boos, &c. residing at Sjenderkona, Rajujora, and Radha Negger; dated the 19th, and received the 23d of September, 1758.

THE Circumstances relating to our Vexations by the English, cannot be sufficiently described; for notwithstanding the *Gomasto* of the English had before put a Stop at *Sjenderkona*, to the Vent of white Callicoes, yet under-hand we made ourselves Masters of some Pieces, as was communicated to your Honour by former Letters. It is now, however, about fifteen Days since the aforesaid *Gomasto* sent for all the *Pykars* and *Dollars*, and in the severest Manner, prohibited their vending Cloths to any other but them; in five Days more, being called together, they were anew forced to enter into an Obligation, or Bond, whereby they undertook to bring all the ready made Pieces first to him, that he might pick out what suited him, and return the rest, which they might afterwards sell to others; these Men were also forced to bind themselves to deliver to him, without fail, a certain number of Cloths daily, according to their several Abilities: So that such unreasonable Doings were never before practised. To this add, that it is scarce conceivable, how much Money is still to be laid out in Piece-Goods for the English: For in the Month of July there were transmitted to this Place fifty, and just now ninety thousand Rupees; and that through the Conduct of the English on this Occasion, the accomplishing the Business of the Dutch Company, will prove a very difficult Matter, unless your Honour find some Means of Redress.

Underneath stood,

Translated by

Signed,

M. KONING.

Translation of a Bengalish Letter, in Persian, directed to the Merchant Totaram, a Native, by his Gomastos Mahinderfin, and Sobharan Boos, residing at Boeren, dated the 21st, and received here the 24th, of September, 1758.

YOUR Honours have writ to us to dispatch the Callicoes; but through the Violence of the English, the Weavers will for

for no Money engage to make Piece-Goods; and none dare bring any to Market for ready Money; the Bleachers also are afraid to bleach the Callicoos: So that thus the Business will never advance, without some Orders from the English; all we can do, is to give good Words, and behave quietly.

Underneath stood,

Translated by,

Signed,

M. KONING.

Translation of a Bengalish Letter in Persian, directed to the Merchant Totaram, a Native, by his Gomasto Seddaram Goos, residing at Siendial, dated the 7th, and received here the 14th, of September, 1758.

IN Consequence of your Honour's Letter, directing me to contract a Friendship with the English Gomasto here, I applied to *Gesaram Goos*, who is in that Character, and attempted by all soothing Means, and Civility of Expression, to gain upon him, in order by that Means to obtain a free Course to our Affairs; but all in vain; for he told me, he had Orders from his Masters to be extremely careful, that none besides should buy a single Piece of Goods: And that in order to a strict Compliance therewith, he should make the whole of the Weavers, *Pykars*, &c. enter into a Bond, under Penalty, and that this and the other Thing not complied with, or the Affairs of the English undergoing the least Impediment or Lett, he, the Gomasto, should in that case be punished with Death; and thus I could make no Purchase of Callicoos, nor receive any of those already agreed for; as in that case he would deduct the Money advanced thereon from the Weavers; with which Answer I was dismissed: And further, upon Intelligence that one of our old *Dollals*, named *Balleb Perramanik*, had agreed for a Parcel of *Cassas*, three *Cobes* broad, he with the Privy of the Gomasto was caused to be taken up by the *Siemiendar*, carried before him, and soundly bastinadoed, and forced not only to pay a mulct of five Rupees, to defray the Expences of a Foot Soldier, but also to enter into a Bond, whereby he obliged himself no longer to serve the Dutch: So that the Violences and Vexations of the English Gomasto, with Regard to the Weavers, *Pykars* and *Dollals*, exceed all Bounds, and he imagines himself entirely independent; the rather as the *Siemiendars*, who before were our only Support, are now entirely at the Devotion of the aforementioned Gomasto: And therefore it will be necessary for the uninterrupted Progress of the Business of the Dutch Company, to procure Redress on this Head; as otherwise it will be a difficult Matter to serve them: Besides, such Insolences leave no Room to hope for recovering the Money advanced for Piece Goods, nor of getting a single Piece of the fine Goods delivered, though a considerable Sum be already disbursed thereon. The Dutch Company's Purchases

chases might still be made with Success, if your Honours could obtain a Letter from the English Governor at *Calcutta*, as also from *Baboo Kasmats*, by which their *Gomastos* should be ordered to forbear such Insolences, all the Weavers, Bleachers, Embroiderers, *Pykars*, &c. being quite frightened by their ill Treatment; with this additional Circumstance, that all Ways and Passages are very closely beset by the English; so that the Servants of the Dutch Company, and their Interests, have, through these extravagant Violences, much to suffer: And we are under Apprehensions what may some Time or other come to be our own Lot. In the mean Time *Radda Beddiga* has sent his *Gomasto* to buy up some Piece Goods at *Nongaum*, who succeeds pretty well; the Reason of which is the Recommendation he has obtained from the English Governor at *Cassimbazar*, to the aforesaid *Gomasto*, ordering him to suffer the other to go on peaceably with Business. The same therefore with Regard to us is to be solicited without delay; the rather as the Time begins to advance apace; otherwise it will be very difficult to get in the Goods bespoke, and to make the new Purchase.

Underneath stood,

Signed

Translated by,

M. KONING.

Translation of a Bengallish Letter, written in Persian, directed to the Merchant Totaram, a Native, by his Gomastos Bharet Tjern Goos, Ram Naat Goos, and Gengaram Mendi, residing at Jeggen du Pour; dated the 5th, and received here the 18th of September, 1758.

THE Reason of our sending the Calicoes so late is, that the Bleachers, &c. were prevented by the stormy Weather and great Floods, which we have had here, from going on with their Work; as there was no Place to be found, wherein to dry the Goods: And yet we have, with much ado, sent off two Vessels with Calicoe, and are again busied in getting ready a new Cargo to be sent: But what shall we say to your Honours as to the Purchase of Piece Goods in this Place? The Violence of the English *Gomastos* has already proceed so far, that we want Words to set them forth as they deserve, having not only caused Bonds to be given to the *Siemiendars*, but also forced the Weavers, and wholesale Dealers to take their Money, whether they would or no; and at the same Time threatened them, that if they made any Calicoes for others besides the English, they should be taken up, and punished in the most rigorous Manner, nay, and with the Halter about their Necks, and besides by beat of Drum in all Market Places, prohibited all dealing in Calicoes for ready Money; and so crammed all the Weavers with Money, that there was none of them, of whom it could be said, he had not taken Money of the English: By which Means our Business is at present stopped at once, as the aforesaid *Gomastos* have, as was said, engaged all the Weavers with ready

ready Money, to whom we had under-hand *advanced* some for making us Piece Goods; and as soon as the Cloths are finished, cut them out of the Loom. Besides, they having planted over each *Pansy* a Soldier and a *Scapoy*, to prevent our carrying off any Goods, and at the same Time oblige the Weavers, who have made Calicoes for us under-hand, to bring the Goods to their Warehouses, So that at present these People are struck with a panic by such Doings. Wherefore, we must request your Honours, and all our Masters, to procure the necessary Redress in this Affair, in order duly to carry on Business here; as otherwise the providing of Piece Goods, at the proper Time, will prove a very difficult Matter.

Underneath stood,

Translated by,

Signed

M. KONING.

Collated, so far as the Extract goes, with the Copy of the a-forenamed Resolution, lying at the East India Company's House, in *Amsterdam*.

Signed,

C. VANDER HOOP.

Copy of a Resolution taken in the Council of Policy at Hughley, on Friday the 28th of October, 1757.

THE Director produced a Letter from the English Admiral *Perce*, addressed to his Honour, and containing a Declaration, that a certain *Grab*, named *Charlotta*, sent hither by the Counsellor of India Extraordinary, and Director in *Surat*, *Louis Taillefer*, and stoppt by him, *Perce*, should, with its Lading, be deemed lawful Prize, for such Reason, as may be seen in the Letter itself, which runs thus:

Calcutta, the 20th of October, 1757.

Sir,

YOUR Honour's Letter of this Date I have received, requiring particularly my Reasons for stopping the *Grab Charlotta*. In answer to which it may serve, that the Contents of several Letters received from *Surat*, give me sufficient Reason to believe, that the Ship was undoubtedly the Property of the French, being commanded by a Frenchman, named *Antoine Biquant*, and the Pass, which he produced from Mr. *Taillefer*, running no farther, according to its Tenor, than the 13th of June last; and consequently this Ship and her Lading are lawful Prize, a Thing clear and evident. Besides your Honour is not to imagine me unacquainted with the Ordinance published by the King of France, and the Memorial which his Ambassador, shortly after the Declaration of War, gave in to the States General, so I am perfectly well informed thereof; for there, in Article X, it is said,

“ That

" That if the States of Holland shall grant Passports, or Letters of Licence, to Owners or Masters of Ships, who are Subjects to an Enemy of France, except such Owners and Masters who before the Declaration of the present War were favoured with the freedom of Holland, their Ships and Goods shall be confiscated, seeing they must be considered as the Property of the Enemy, although the Ship were built in Holland." And Article IV. it is said,

" The Dutch are farther to take Care, that the Supercargo, Clerk, and Sea-Officer, be not Natives of any Place at Enmity with France, and that no more than a Third of the Hands be Subjects of the Enemy. If these Particulars are not observed, the Ships shall be declared good Prizes, and held suspected of being the Enemy's Property."

On this Ordinance my Instructions are grounded; and this Rule I must observe, if your Honour will be pleased to remark, that *Bicquant* is a Native of France, and can in no respect be favoured with the Privileges of a Dutchman (for he himself is both Sea-Officer and Supercargo, and has Goods his own Property on board the said Ship). All this sufficiently justifies the Seizure of that Ship, and the absolute necessity of stopping the *Charlotta Grab*, with her Lading according to the Right of War.

It gives me Pain that I have Reason to complain of the gross Fault of the Superior of your Honours Nation at *Surat*, in giving such a Pass; and I must acquaint your Honour, that Orders shall be given to make the strictest Search, in order to prevent in future such Frauds and Impositions, and the Affair shall be fully laid before the Court of *England*: But nevertheless I shall do all in my Power to keep up the Harmony which subsists between the King my Master, and the States General; and it will give me a Pleasure to have no Reason hereafter to complain of such Abuses, that the Friendship and Treaties between the two Nations may be preserved inviolable. I am with great Regard,

Underneath stood,

Sir,

Lower stood,

Your Honour's obedient and humble Servant,

Signed,

G. Pocock;

It was unanimously agreed to shew the afore-named Admiral, First, That except the Captain's allowed Venture, no Frenchman had Part or Share in the Ship or Lading.

Secondly, That the Pass, though some Mistake might happen in the Date, does, in its Tenor, run, to sail to *Bengal*, and thence to return to *Surat*.

Thirdly, That the Captain of that Ship was indeed, a Frenchman by Birth, but is at present a naturalized Dutchman, or a Subject of our State, who has taken the Oath of Fidelity.

Fourthly, That the Publication of such an Ordinance by the King of France, as his Honour alledges, was not known in these

Parts previous to the Receipt of his Letter, nor probably in *Swat*: And that therefore the Mistake, if there was any, in pitching upon a native Frenchman for Captain, can be considered in no other Light, than as a Thing happening through Ignorance.

Agreed on, for the aforesaid Reasons, to insist on the Restitution of the *Grab* and her Lading, with the Captain's small Venture.

Thus done and resolved at *Hugbley* in *Bengal*, the Day aforesaid.

Signed,

A. BISDOM, R. H. ARMENHAULT.
J. L. V. SCHEIKNAVEN, JO. BACHERACHT.
S. de HOOG. M. BASTIANSE, Secr.

(And lower flood)

Collated with the Copy of the aforesaid Resolution, lying at the East India Company's House in Amsterdam.

Signed,

C. VANDER HOOP.

No. XII. *A List of the Papers hereunto annexed, relating to the Loss of the little Ship the Anna.*

Let. A. Extract from the Journal kept at *Hugbley*, in *Bengal*, 26th of May, 1758.

B. Extract of a Letter from the Director *Adriaan Bisdom*, and the Council at *Hugbley*, to the Governor, *R. Drake*, and the Council at *Calcutta*, of the same Date.

C. Copy of a Letter from Governor *Drake*, to the Director *A. Bisdom*, dated the 29th of May, 1758.

D. Extract of sundry Letters from the Director *A. Bisdom*, and the Council, to the Governor and Council at *Calcutta*, dated the 5th and 28th of June, and the 16th of September, 1758.

E. Copy of a Letter from the Governor and Council at *Calcutta*, to the Director *Bisdom*, dated the 10th of August, 1758.

F. Copy of a Letter to the Director *Bisdom* and the Council, dated the 9th of September, 1758.

G. Copy of the Declaration of the late Captain *Henry Karr*, of the aforesaid Ship the *Anna*, made upon Oath the 3d of June, 1758.

H. Copy of the Declaration of the Boatswain, *Nicholas Bosar*, of the aforesaid Ship the *Anna*, made upon Oath the same Day.

I. Copy of the Declaration of the Mariner *Domingo Confalon*, made upon Oath the same Day.

K. Copy of the Declaration of the Under-steersman of the said Ship, *Francis la Haye*, the 9th of June, 1758.

L. Extract from the Records of the Council of Justice, of Sept. 11, 1758.

M. Extracts from the aforesaid Records of Sept. 13, 1758.

Let. A.

Let. A. *Extract from the Journal, kept at Hughley, in Bengal.*

May 1758.

MONDAY *primo*. Further came Tydings, that the *Nabob*, &c.

Friday Morning the 26th. It was reported to the Director by the Pilot, *Martin Pieterse*, who, according to the Directions given on the 17th current, together with his Fellow-Pilot, was dispatched the same Day with two Shallops, in order to lay Casks, Buoys, &c. that in passing by *Calcutta*, he was told, in the Name of Governor *Drake*, that he must proceed no farther; and that shortly after, having got on board, a Serjeant and six common European Soldiers armed, to prevent his going farther, constrained him to anchor; and that the said Military insisted on the Shallop's putting in to Shore, in order to be informed by the said Governor *Drake* about the Matter; but that he being absent, the Captain was assured, that his Honour's Orders were, that no Dutch Shallop or Pilot should be suffered to pass by *Calcutta*: And that thus he found himself constrained, after the English were gone ashore, to return to *Bernagor*: About which unreasonable Treatment the said Director dispatched a Letter this Day to the aforesaid Mr. *Drake* and his Council, and besought their Honours, with strong Expressions of our Concern at such a Conduct, to inform us of the Reasons of so extraordinary a Procedure, with Orders to the aforesaid *Martin Pieterse*, and his Companion *Henry Dysser*, to attempt a second Time sailing down with the aforesaid Shallops, and not to anchor before *Calcutta*, unless constrained thereto by superior Force; as also, in that Case, to give immediate Notice thereof to us, and to remain on board till farther Orders.

Underneath stood,

Collated, so far as the Extract goes, with the Copy of the aforesaid Journal, lying at the East India Company's House in Amsterdam.

Signed,

C. VANDER HOOP.

Let. B. *Extract of a Letter from the Director A. Bisdorn, and the Council at Hughley, to Roger Drake, Esq; Governor for the English East India Company in Bengal, and to the Gentlemen of the Council at Calcutta, dated the 26th of May, 1758.*

WE were extremely astonished at the account we received this Morning from one of our Pilots, whom we sent down with two Shallops to wait for our Ships: namely, that they were hindered from passing by *Calcutta*, and thereby forced to return to *Bernagor*; and, as the Reason of so extraordinary a Proceeding is

M 2

unknown

unknown to us, we request, that your Honours will be pleased, in answer to this, to impart the same.

Underneath stood,

Collated with the aforesaid Extract of a Letter, lying at the East India Company's House, in Amsterdam.

Signed,

C. VANDER HOOP.

Let. C. *To the Honoured Mr. Adrian Bisdom, Director and Governor, and to the Council at Chinsura.*

Hon. Sir, and Gentlemen,

WE received your Honour's Letter of the 26th Current, in answer to which it may serve, that we had before acquainted your Honours with our Resolution, not to permit any of your Honours' Sloops to sail down to the Road of *Bellafer*; the Reason of this Resolution we imparted to the Honoured Mr. *Bisdom*, and we could not imagine, that your Honours would, after that, send any Pilots, *Schuyts*, or Boats down the River. Things on the Coast are at present in such a Situation, that in common Prudence we cannot suffer your Honours' Sloops to anchor in the Road of *Bellafer*; which we may venture to say, your Honours will not disapprove; and when we can allow it without risking our own Safety, we will not fail to acquaint your Honours therewith, and are with respect,

Underneath stood,

Honoured Sir and Gentlemen,

Lower stood,

Your Honours humble Servants,

Signed,

ROGER DRAKE, junior, ROBERT CLIVE, W. WATTS,
RICHARD BECKER, C. MANNINGHAM.

On one Side, Fort *William*,
the 29th of May, 1758.

Underneath stood,

Collated with the Copy of the aforesaid Letter, lying at the East India Company's House in Amsterdam.

Signed,

C. VANDER HOOP.

Let. D. *Extract of a Letter from the Director and Council of this Factory to the Governor and Council at Calcutta, dated the 5th of June, 1758.*

OF this we have already a Proof in the Ship *Anna*, which came upon the Coast, and in sight of your Sloops; seeing your Honours' Pilots left her in her distress, notwithstanding she fired several Guns: At last, after the Loss of all her Anchors, she was obliged, without a Pilot, to try to get up the River; but unhappily struck on a Bank, and was lost, with her whole Lading, and so many of her Hands, that, as far as we have hitherto learned, only twenty-one Persons were saved.

Extract

Extract of a Letter from and to the same, dated the 28th of June, 1758.

WE received your Honours' Letter of the 17th current, but therein find no Notice taken of our Demand by Letter of the 5th current, for Restitution or Indemnification for the Loss of the Ship *Anna*, with her Lading, for the Account of her Owners: So that we are obliged to repeat hereby our Demand, on the foot of the Reasons advanced in the above-mentioned Letter of the 5th: And in case your Honours do not consent to give Satisfaction, we must enter a Protest, as we do by these Presents, in the Name of the States of the United Provinces, and of the Company, our Principals, against your Honours, for the Costs, Damages, and Interest, sustained by her Owners, through the Loss of the aforementioned Ship *Anna*; reserving for the behoof of the same, the Right and Power of suing for their Indemnification, when, where, and in what Manner they shall think proper.

Extract of a Letter from and to the same, dated the 10th of September, 1758.

WE never founded our Demand of Indemnification and Payment for the Loss of the Ship *Anna* and Lading, on such weak grounds, as that we should consider what your Honours are pleased to advance, as the Causes of the Loss of that Vessel and her Lading, with the greatest Part of the Crew; but do still hold for the undoubted and principal Reason of such a Disaster, the Violence committed on our piloting Vessels, by preventing, and absolutely obstructing their Passage down the River: By this your Conduct, all our Ships are exposed to the unavoidable Risk of being lost, as we then shewed your Honours by our Remonstrance and Protest on this Head, at the same Time charging to your Account all the Consequences thereof. We need not here add, that had our piloting Vessels, as usual, without Lett or Obstruction, been allowed to come down the River, such a Disaster would never have happened; and therefore is chargeable on nothing but the aforementioned first and impulsive Cause; and on a second, consequent thereon, namely, that the English Pilots, in Conformity to your Honours' unheard-of Proceedings, could view with unrelenting Eyes a Ship with about fifty Souls on board, abandoned to the raging Waves of the Sea: The Danger was their running on the Shelves, and miserably perishing, while they could have saved some; and yet their Hearts did not relent at such a Sight. They were not ignorant of this, whatever Pains they take to disguise it.

The enclosed Declarations, which we send to be considered by your Honours, entirely quash all their Pretences. Your Honours will from thence perceive, how far it is from Truth, that the Pilots of two of your Sloops, which then lay in the Road of *Bellafor*, or thereabouts, did not see the Ship *Anna*, or that she did not make towards

towards them; that your Sloops did in the Night, on hearing a Gun fired, put out their Lights; that the Day following the Flag of one of the Sloops was plainly distinguishable, and that a Gun was fired by that Sloop, probably as a Signal, not understood by ours; that those piloting Sloops, though they had the fairest Opportunity to make towards that Ship *Anna*, yet, without regarding the several Signals of Distress she made, did not make the least Motion to come to her Assistance, as we could not make towards them, being to the Leeward. And how is it possible to reconcile the Testimony of your Pilot *Scot*, viz. That he with his Sloop lay at Anchor in six Fathom Water, close by the Shelves, at the Time the often mentioned Ship passed the Road, with what he immediately adds, namely, That neither of the Sloops saw any thing of that Ship? Certainly he himself at least must have seen her, seeing he can so roundly affirm, where he lay, exactly at the Time when the Ship passed the Road:

Now whether another Story of the said *Scot*, viz. That the late Commander of the *Anna* was formerly always wont to bring up his Vessel without a Pilot, is of such Weight as to exculpate him for having refused his Assistance, though solicited and invited thereto by so many Signals, as it were by way of Petition, and humble Suit, and thus having in cold blood seen a Ship with so many Souls on board exposed to the utmost Danger, without offering any Assistance, if in his Power; we leave those to judge, who, not having entirely divested themselves of all Sentiments of Humanity, have still left the least Grain of that Compassion and Benevolence which it is the Duty of a Christian to shew. Imagining that we have, by the above, sufficiently proved the Justice and Validity of our Demands, and exhibited the true Reasons of the above Disaster, we therefore, in the Name of all the Owners, persist in our Claim and Protest.

Along with the aforementioned Attestations, we have the Honour of transmitting a Memorial of the true Value of the Ship and Lading lost, together with the Loss of the Officers; and at the same Time, in order to comply with the Dutch Style and Practice, according to which no Attestation or other Papers are judicially affirmable upon Oath before the Magistrate, without intimating to the Parties concerned, that they may see and hear them along with their Council, and put cross Interrogatories; and all Citations without the Jurisdiction of the Judge, before whom the Attestants, or Informants are cited, are null and of no Validity; we have transmitted an Act of Intimation, to that End, as may be seen more largely therein, under Notification, that your Honours appearing or not appearing on the Day prefixed, or sending or not sending any one in your Name duly authorized, we shall nevertheless proceed with tendering the Oaths: Your Honours' will, for the Reasons adduced, please to observe the Necessity of this last Step, and so not take amiss this our Conduct.

To the Honourable Robert Clive, Esq; Governor for the English East-India Company, and to the Council at Calcutta.

Honoured Sir, and Gentlemen,

WE hereby only intend to request that we may be informed, whether our Letter of the 10th Instant came duely to Hand. Your Honours speedy Answer will greatly oblige us.

We have the Honour of being,
(Underneath stood,)

Honoured Sir, and Gentlemen,
Lower stood,

Your Honours very humble Servants,

Signed

A. BISDOM.

R. H. ARMENVAULT.

L. ZUYDLAND.

M. ISINK.

J. L. V. SCHEVRICHAVER.

JOHN BACHERACHT.

M. BASTIANSE.

J. C. KIST.

On one Side,

Lower stood.

Hughley, the 16th

Collated by,

of September, 1758.

Signed

M. KONING, first sworn Clerk.

Collated with the Extract from the aforesaid Letters, lying at the East-India Company's House in Amsterdam.

Signed

C. VAN DER HOOP.

Let. E. *To the Honourable Mr. Adrian Bisdom, Director at Hughley.*

Honoured Sir,

WE received your Honour's Letter, and it gives us Pain to observe the Loss of the Ship therein mentioned: But from the Proposal we made your Honour the 6th of March, to send one or two of your Pilots on board our Sloops in the Road, to settle the bringing up your Honour's Ships, which might at any Time arrive, on the same footing as those of our own Nation, we cannot see, that we are answerable for the Loss ensuing: Mr. Scot, one of our Pilots, lay off the Road of *Bellafer*, in six Fathom Water, when the above mentioned Ship passed the Road; and at the same Time there lay a Sloop of ours in the Road, but neither of them saw any thing of that Ship: We are informed by Mr. Scot, that it was always the Captain's Manner, when in the Service of Mr. Kels, to bring up his Ship, without a Pilot; and Mr. Zuydland, your Honour's Commander, told him, that the said Ship was poorly provided with Anchors and Cables: Besides, it has always been customary for Ships, that come into the Road, to make towards the Sloops, which the Captain of the oftenmentioned Ship neglected doing, so that we leave

leave him to be accountable to the Owners for his Misconduct herein,
and the Damage thereby sustained.

We have the Honour to be with Respect,
(Underneath stood,)

(On one Side.)

Fort William, the 10th
of August, 1758.

Your Honours,

(Lower stood,)

Humble Servants,

Signed

ROBERT CLIVE.

C. MANNINGHAM.

FRANCIS FORDE.

RICHARD BECKER.

(Lower stood.)

Collated,

Signed

M. KONING, first sworn Clerk.

Collated with the Copy of the aforementioned Letter, lying at
the East-India Company's House in Amsterdam.

Signed

C. VAN DER HOOP.

Let. F. To the Honourable Mr. Adrian Bisdorn, Director,
and to the Council at Hughley.

Hon. Sir, and Gentlemen,

WE received your Honours Letter of the 10th of September,
along with the Declarations relating to the Loss of the Ship
Anna: But we imagine your Honours assume a Power in the Con-
clusion of that Letter, to which you have no Right: We therefore
return your Honours Letter and Declarations enclosed in this Packet,
and at the same Time must acquaint your Honours, that we are by
no Means responsible for the Disaster of that Ship: Wherefore we
beg all farther Disputes on that Head may be dropt.

We are with Respect,

(Underneath stood.)

Honoured Sir, and Gentlemen,

(On one Side.)

Fort William, the 19th
of September, 1758.

(Lower stood.)

Your Honours obedient humble Servants,

(Signed)

ROBERT CLIVE.

W. WATTS.

FRANCIS FORDE.

C. MANNINGHAM.

RICH. BECKER.

(Underneath stood)

Collated.

Signed,

JACOB EILBRACHT, sworn Clerk.

(Lower stood,)

Collated,

Signed,

M. KONING, first sworn Clerk.

Collated with the Copy of the aforesaid Letter, lying at the
East-India Company's House in Amsterdam.

Signed,

C. VAN DER HOOP.

THIS Day, the 14th of June, 1758, appeared before me, *Jacob Eilbracht*, sworn Clerk of the Secretary's office in *Bengal*, the hereafter named Witnesses being then present, *Henry Karr*, late Commander of the Vessel *Anna*, who at the Requisition of the Owners of the said Vessel, did, in Vindication of the Truth declare, as he does by these Presents, that he, the Informant, did on the 30th of the last Month, with the above mentioned Ship *Anna*, come into the Road of *Bellafor*, and there espy a Ship at Anchor, without being able, however, to distinguish of what Nation, as she shewed no Colours: That he, the Informant, being in the Afternoon, about five, come to Anchor with his said Vessel in the aforesaid Road, did there about seven in the Evening by Stress of Weather, lose his first Anchor; at nine his second, and at eleven o'Clock his third and last Anchor; and that thereupon some of his Crew, who had often sailed up the River of *Bengal*, proposed to him, the Informant, if he thought fit, that as there were no Anchors left, they should attempt to carry the Ship into the Ganges; that, he the Informant, judged that the safest Course, and having immediately given the necessary Orders, made Sail, and steered into the River; that afterwards, about three o'Clock in the Night, having espied two Sloops riding at Anchor near the Shelves, in seven and a half Fathom Water, he made Signals to them by firing Guns of Distress, and shewing Lights; but that neither of them came to his Assistance, but still continued at Anchor; that they, moreover, put out their Lights on hearing his Guns; that he, the Informant, the Day following, espied one of the Sloops with a small English Jack, and heard a Gun, without being able to understand what it meant; that the other Sloop shewed no Colours, nor fired a Gun; and that neither of them made the least Motion to weigh and come to his Relief, tho' they had the fairest Opportunity for it, and saw very well that he, the Informant, was in Distress; as he constantly kept out a furled Jack, and lay with short Sail: Further, that thereupon, seeing no other Means of Escape, they ventured with the Help of God to sail up the River; and happily passed the first, or West Bank, but stuck fast on the second, or East, in two, three, or four Fathom Water, and that with the first Shock she lost her Rudder, and with the second had two Foot Water in her Hold: Whereupon, he, the Informant, with twenty others, among whom was a Passenger, seeing there was no Possibility of saving the Ship, quitted her, and left on board the upper Steersman with 24 Persons, among whom were six Passengers: Herewith the Informant concluded his Declaration, which he testified to be the whole Truth, giving for the Reasons of his Knowledge, that he had seen and been present at the whole, and therefore is ready, when needful, to ratify the same at all Times by Solemn Oath.

Thus done and declared at *Hugbley in Bengal*, the Day aforesaid,
in Presence of *Samuel Plaam* and *Christopher Weydmans*, Clerks,
as Witnesses.

Signed, HENRY KARR.
(Lower flood,) Before me,
Signed,

JACOB EILBRACHT.
(In the Margin.) Witnesses.
Signed,

S. PLAAN.
C. WEYDMANS.

(Lower still) Collated.
Signed,
M. KONING, first sworn Clerk.

THIS Day the 23d of *September*, 1758, appeared before the
Worshipful Council of Justices of this Factory, *Henry Karr*,
more fully designed in the foregoing Declaration, which being
distinctly read to him Word for Word, he continued fully to abide
thereby, only with this Alteration, that about three at Night he did
not see a *Sloop*, but only a *Light*; and farther, that early in the
Morning, on the Sight of two Sloops, he let fly the Great Prince
Flag from the Mizzen, to shew that he was in great Distress; and
that from five in the Morning till eleven in the Forenoon, he kept
his Jack furled, in Expectation of obtaining some Help from the
aforesaid Sloops; yet all in Vain, none of these Vessels making the
least Motion for that Purpose; confirming the whole in the Romish
Manner by solemn Oath, laying his right Hand on the Gospel of *St.*
John, and uttering these Words,

So help me God!

Thus judicially deposed and sworn at *Hugbley in Bengal*, in
Presence of the Meeting aforementioned.

Signed, HENRY KARR.

(Lower flood) Before me,
Signed, M. KONING, Secretary.

(Lower flood) Collated,
Signed, M. KONING, first sworn Clerk.

(Lower flood) Collated with the Copy of the aforesaid Declaration,
lying at the *East-India Company's House in Amsterdam*.

Signed, C. VAN DER HOOP.
THIS

THIS Day, the 3d of June, 1758, appeared before me *Jacob Eilbracht*, sworn Clerk of the Secretary's Office of *Bengal*, the hereafter named Witness being present, *Nicholas Bosac*, late Boatswain of the Ship *Anna*, who at the Requisition of the Owners of the said Ship, and in Vindication of the Truth declared, as he does by these Presents, that he, the Informant, on the 30th of the last Month, to the best of his Memory, about six in the Afternoon, being come to Anchor with the said Vessel in the Road of *Bellafor*, there observed a Ship lying, without any Ensign displayed; and thus to him, the Informant, it was unknown to this Day, of what Nation she was: That in the Evening about eight, the *Anna* lost her second, and soon after her third and last Anchor; that then making Sail N. W. they did not long hold that Course, but were soon obliged to tack and steer to the S. E. and continued to steer this Course till three o'Clock. At this Time, a Light was seen to the N. E. towards which we made Sail to see whether it was a Sloop's Light; but on coming a little nearer, the Light was put out; and soon after a Light was also observed to the N. W. which was also put out, after we had sailed a little Way towards it; that upon seeing no more Light, and perceiving the Shoals, we steered again S. E. and with the Day Light observed two Sloops, one to the Windward, and the other to the Leeward, at Anchor; on the latter of which was actually observed an Ensign; as was soon after, on the Sloop, which lay to the N. E. whereupon a furled Jack was hoisted, and all the Signals made for procuring a Pilot to come on board, yet all to no Purpose, no one paying any Regard to our Distress; upon which we then shortened Sail, and afterwards heard a Gun from the Sloop, which he, the Informant, imagines to have been a Signal to Anchor; which however, he declared was impossible, in Regard, as was already said, they had no Anchor left: Further, that some of the Sailors, who had a little Knowledge of the River, observing that the Sloops paid no Regard to the Vessel in her Distress, addressed the Captain thus; we are lost Men, unless we endeavour to the utmost of our Power to carry the Ship into the River. Whereupon the Captain called aft the Officers and common Men, and asked whether they agreed to this; that they one and all answered in the affirmative: Upon which we made for the River, and in passing the first Bank, a Sailor was washed over Board by a dreadful high Sea which went over the Ship; that afterwards striking on the Middle Bank, with the first Shock, the Vessel parted her Rudder, and with the second, was so full of Water, that most of the People jumped over Board; in order to save themselves; and that he, the Informant, shortly after, with one and twenty more quitted the Ship, seeing no other Way to escape.

Herewith the Informant ended his Declaration, which he testified to be the whole Truth, and nothing but the Truth, giving for the Reasons of his Knowledge, that he had seen and been present at the whole, and is therefore ready at all Times to confirm the same, when required, by solemn Oath.

Thus done and declared at *Hugbley* in *Bengal*, the Day aforesaid, in Presence of *Samuel Plaan* and *Christopher Weydmans*, Clerk, as Witnesses.

(On one Side.)	(Underneath flood.)
In our Presence,	A small Cross, and thereby was written,
Signed	Marked by <i>NICHOLAS BOSAC</i> .
S. PLAAN.	(Lower flood.)
C. WEYDMANS.	
(Lower.)	
Collated,	Before me,
Signed,	Signed,
M. KONING, Secretary.	J. EILBRACHT, First sworn Clerk.

THIS Day, the 23d of September, 1758, appeared before the Worshipful Council of Justices of this Factory, *Nicholas Bosac*, more fully designed in the aforegoing Declaration, which being distinctly read to him Word for Word, he continued fully to abide thereby, only with this Addition, that he could distinguish no Ensign on the Sloop, which lay to the N. E. confirming the whole in the Romish Manner by solemn Oath, laying his right Hand on the Gospel of St. John, and uttering these Words, So help me God!

Thus judicially deposed and sworn at *Hugbley* in *Bengal*, in Presence of the Council aforesaid.

(Lower flood.)	(Underneath flood.)
Collated,	A small Cross, and thereby was written,
Signed,	Marked by <i>NICOLAS BOSAC</i> .
M. KONING, first sworn Clerk.	(Lower flood.)
(In the Margin flood.)	Before me,
Revised	Signed,
Signed,	

F. BARENDT.

M. KONING, Secretary.

(Underneath flood.)

Collated with the Copy of the aforesaid Declaration, lying at the East-India Company's House in Amsterdam.

Signed

C. VAN DER HOOP.

Let. I.

THIS Day the 3d of June, 1758, appeared before me *Jacob Eilbracht*, sworn Clerk of the Secretary's Office of *Bengal*, the hereafter mentioned Witnesses being present, the Portuguese *Domingo Goncalves*, who, having served as Mariner on Board the Ship *Anna*, did, at the Requisition of the Owners of the just mentioned Vessel, in Vindication of the Truth, declare, as by these Presents he does declare, That after the aforesaid Vessel *Anna* came to Anchor in the Road of *Bellafor*, the Day and Date whereof he declared had escaped his Memory, she lost three Anchors; upon which they were obliged to make Sail, and let her drive to and again; that about three o'Clock in the Night, having observed a Light, they steered towards it, but it was entirely extinguished on their Approach; and thereupon having observed another Light, they directed also their Course towards it, and fired Signals;

Signals; but soon after, this Light also disappeared: that here-upon they shortened Sail, and at Day-Light espied a small Sloop at Anchor; upon which they put out their Ensign, and observed a Dutch Flag flying on Board the Sloop; for which Reason, and also because it was impossible to come up with the Sloop, they haled up a furl'd Jack, but all to no Purpose; for the aforesaid Sloop lay still, and fired a Gun; that then one of the Sailors, who was better acquainted with the River than the rest, offered to pilot the Vessel into the River; upon which the Captain summoned all the Ship's Company, and asked, whether they agreed to this? To which they unanimously answered in the affirmative, and moreover added, we must try to save our Lives the best we can, or perish here: That they then immediately directed their Course to the River, and safely sailed over the first Bank, but struck on the second in three Fathom Water; and that with the first Shock they lost their Rudder, and with the second, the Ship filled with Water: Upon which the Captain, with twenty others, of whom he, the Informant, was one, took to the Boat, and left the Ship.

Herewith the Informant ended his Declaration, which he testifies to contain the whole Truth, and is ready to confirm the same at any Time when called upon with his solemn Oath.

Thus done and declared at *Hugbly* in *Bengal*, the Day aforesaid, in Presence of *Samuel Plaan* and *Christopher Weydmans*, Clerks, as Witnesses.

(On one Side)

In our Presence.

Signed,

S. PLAAN,

C. WEYDMANS.

(Lower flood)

Collated.

Signed,

M. KONING, Secretary.

(Underneath flood.)

A small Cross, and thereby was written,

Marked by DOMINGO GONSALVAS.

(Underneath)

Before me,

Signed,

JACOB EILBRACHT,
Sworn Clerk.

(Underneath flood.)

Collated with the Copy of the aforementioned Declaration, lying at the East-India Company's House, in *Amsterdam*.

Signed,

C. VAN DER HOOP.

Let. K.

THIS Day, the 9th of June, 1758, appeared before me *Jacob Eilbracht*, sworn Clerk of the Secretary's Office of *Bengal*, the hereafter named Witnesses being present, *Francis la Haye*, late Under-Steersman of the Vessel *Anna*, who, at the Requisition of the Owners of the above-mentioned Vessel, and in Vindication of the Truth, declared, as by these Presents he does declare, That he, the Informant, on the 30th of the last Month, about five in the Afternoon, being come to Anchor in the Road of *Bellafor*, saw there a Ship lying; that he, the Informant, testified he did not know what Nation she was of, as he could observe no Ensign flying; that, by violent stormy Winds at S. E. in the Evening,

ing about seven, they lost their first Anchor, at nine their second, and at eleven their third : for which Reason, and having no other Anchors or Cables on Board, but one that was rotten and unfit for Service, they sailed to the E. S. E. : that the above mentioned unknown Ship, on approaching her, fired a Gun, and shewed a Light ; but at three was observed another Light at N. E. then a Gun was fired, and a Light shewed ; but soon after, that other Light disappeared.

That afterwards some of the Sailors, who had formerly served in French Sloops, and so had acquired a Smattering of Pilotage, offered the Captain to carry the Ship up the River, which otherwise they thought must be lost ; the Captain then asked all on Board, whether they consented to entrust the Ship with one of those Sailors ; they all said they did, adding, we are otherwise lost ; let us try to save ourselves the best Way we can. Thus the Ship being given up to the Management of one of those Sailors, and steering E. ; S. E. in the Morning at four, observing again two Lights, we returned the Signal of Lights, and fired four Guns of Distress, and at Day-light observed a Sloop to the East, and another to the N. W. at Anchor ; that we again shewed our Ensign, and again fired a Gun ; also an Hour after, hung out our Jack, and fired once more ; that at eight in the Morning, being somewhat nearer one of the Sloops, we struck our Jack, and let fly the Ensign on firing a Gun, to shew that we were Hollanders, and therefore Friends ; the Sloop, when we had hoisted our Ensign, and changed it into a Jack, and had gone thro' all the Signals, did also fire a Gun, and shew an undistinguishable Flay, which he, the Informant, declares, he cannot justly say what it meant ; but imagines it was a Signal to anchor, which, for the Reasons aforesaid, he testified was not possible : that afterwards we let fly the Ensign from the Mizzen, to acquaint the Sloop, that we were in Distress ; but she little regarding that, lay still, tho' she had an Opportunity of saving us, as she had nothing to do but to weigh Anchor, and come up to us, without spreading a single Sail, as she was to the windward, and our Ship to the leeward : that therefore, seeing the Sloop made no Attempt to come to our Relief, tried to carry up the Ship by means of their new Pilot ; and indeed happily passed the first Bank, but at ten a dreadful high Sea, breaking over the Ship, washed a Sailor and divers Goods over Board, and soon after we struck on the second Bank in three Fathom Water, and lost the Rudder ; and the Ship a little after having taken in much Water, the Captain seeing no Means of Escape, quitted her, with twenty more, among whom he, the Informant, was one.

Herewith the Informant ended his Declaration, which he testified to contain the whole Truth ; which he was therefore ready at any Time, when required, to confirm by solemn Oath.

Thus done and declared at *Hugbley* in *Bengal*, the Day aforesaid, in Presence of *Cornelius Brengbman* and *Christopher Weydman*, Clerks, as Witnesses.

(Lower flood) Before me (Signed) F. LA HAYE.
(Signed) JACOB EILBRACHT, Clerk.

Clerk. In our Prefence, C. BRENGMAN, and C. WEYDMANS. (Lower still) Collated (Signed) M. KONING, first sworn Clerk.

This Day, the 23d of September, 1758, appeared before the Worshipful Council of Justice of this Factory *Francis la Haye*, designed more fully in the aforegoing Declaration, which being distinctly read to him Word for Word, he continued to abide fully thereby, only with this Addition, that by the violent Shock of the Ship, a Hole was struck at the Foot of the Rudder, and thereby the Water running in very fast, the Salt was dissolved; confirmed the whole in the Romish manner by solemn Oath, laying his right Hand on the Gospel of St. *John*, and uttering these Words, *So help me God!*

Thus judicially deposed upon Oath, at *Hugbley in Bengal*, in Prefence of the Council aforesaid.

Signed,

F. LA HAYE.

(Underneath stood)

Before me,

Signed,

M. KONING, Secretary.

(Lower stood,)

Collated,

Signed,

M. KONING, First sworn Clerk.

(Underneath stood,)

Collated with the Copy of the preceding Declaration, lying at the East-India Company's House in *Amsterdam*.

Signed,

C. VAN DER HOOP.

Let. L. Monday the 11th of September, 1758. *Ante Meridiem*, absent the President *Amenhault*, through Indisposition, and then appeared Messrs. *van Schevichaven* and *Bacheracht*, Merchants, and the Agent *Ribaut*.

By the Merchant *van Schevichaven* the following Petition was presented, and therewith four Declarations, and a Memorial.

To the Worshipful Robert Henry *Armenault*, Head Merchant, chief Administrator and President, together with the Members of the Worshipful Council of Justice of this Factory.

Worshipful Sir, and Counsellors.

JACOB Larwood van Schevichaven, *John Bacheracht*, *John Charles Kist*, and *Peter John Ribaut*, joint Owners of the Ship *Anna*, lately lost in this River, having the Honour herewith to present an authentic Copy of the Secretorial Declarations, made at their Requisition, relating to the Loss of that Vessel, by *Henry Karr* late Commander, *Francis la Haye*, late Understeersman, *Nicolas Bosac* late Boatswain, and *Domingo Gonsalvas* late Mariner, on board the said Vessel, with a Memorial of the true Value of the Ship and her Lading, humbly praying, that the aforesaid

Attest.

Attestations may be sworn to by the Informants, in the Memorial of the said Commander *Karr*, and that *ad eternam rei Memoriam*.
Hugbly, the 11th (Underneath flood)
 of Sept. 1758.

And your Petitioners, &c.

The Council deliberating on the Contents of the above Petition, grant the Request thereof, as therein contained.

(Underneath flood,)

Before me,

Signed,

M. KONING, Secretary.

(Lower flood,)

Collated,

Signed,

M. KONING, First sworn Cl.

(Lower flood,)

Collated with the Extract from the Rolls of the Council of Justice at *Hugbly*, lying at the East-India Company's House, in *Amsterdam*.

Signed,

C. VAN DER HOOP.

Let. M. Saturday the 23d of September, 1758, Ante Meridiem, present all, except the Merchant van Schievichan, and Agent Overbeek, the last thro' Indisposition, and then appeared the Merchant Bacheracht.

THE Serjeant reports, that neither any of the Gentlemen, to whom Intimation was made, nor any one on their Behalf had appeared.

THE Requirant *Bacheracht*, as well for himself, as for the other Requirants, exhibited an authenticated Copy of a Letter from the Governor and Council at *Calcutta*, to the Director and Council of this Factory, dated the 19th current, to shew, that the Gentlemen to whom Intimation was made, have duly received the Intimation sent them from hence, together with Letters of the 10th proceeding, seeing neither any of them, nor any one on their Behalf hath appeared, to indicate their Honours Innocency, and to take the Benefit of the Fright of Cross-querying, as also in regard to the required judicial Affirmation upon Oath.

THE Honourable *Jacob Larwood van Schevichaven*, *John Bacheracht*, and *John Charles Kist*, joint Owners of the late Ship *Anna*, lost in this River.

Requirants contra.

Henry Karr, late Commander of the aforesaid Vessel, the *Anna*:

Required,

TO be ready at all Times to affirm judicially upon Oath, his Declaration, dated the 3d of June last, before the sworn Clerk, *Jacob Bilbracht*, and certain Witnesses, at the Secretary's Office here, with relation to the Circumstances of the Loss of the aforesaid Vessel.

As

As also the Honourable *Robert Clive*, Governor, with the Council on Behalf of the English Company at *Calcutta*, in the said Quality, with all others who might chuse to become Parties :

To whom intimation was made.

To be pleased, either in person, or by Deputies empowered by them, to cause the aforesaid Oath to be seen and heard, along with their council, in order to their making cross Interrogatories thereupon, in relation to the authenticated Copy of the aforementioned Declaration to that Purpose, with Citation.

Granted by the Council,

The Person required had judicially affirmed his Declaration, and duly deposed to the Truth of it upon Oath, in the Romish manner, laying his right Hand on the Gospel of *St. John*, and uttering these Words, *So help me God!*

(underneath stood)

(Lower stood)

Before me,

Collated,

Signed,

Signed,

M. KONING, Secretary.

M. KONING

First Sworn Clerk.

Saturday the 23^d of September, 1758, Ante Meridiem, present all, except the Merchant van Shevichaven, and Agent Overbeek, the last through Indisposition, and then appeared the Merchant Bacheracht.

THE Serjeant reports, That neither any of the Gentlemen, to whom Intimation was made, nor any one on their Behalf appeared.

The Requirant *Bacheracht*, as well for himself, as for the other Requirants, refers himself to the authenticated Extract of a Letter of the 10th Current, standing in the Record contra *Henry Karr*, exhibited on Request, seeing neither any of the Gentlemen, to whom intimation was made, nor any one on their Behalf, hath appeared, in regard to their Honours Default, and for the Benefit of that Forfeiture of right of Cross-querying, as also in regard to the required judicial Affirmation upon Oath.

THE Honourable *Jacob Larwood van Schewichaven*, *John Bacheracht*, and *John Charles Kist*, joint Owners of the late ship *Anna*, lost in this River.

, Requirants contra.

Francis la Haye, late Understeersman on the aforesaid Bottom, the *Anna*,

Required

TO be ready to affirm judicially upon Oath, his Declaration, made the 9th of June last, before the Sworn Clerk *Jacob Eilbracht*, and certain Witnesses at the Secretary's Office here, in regard to the Circumstances of the Loss of the aforesaid Ship.

As also the Honourable *Robert Clive*, Governor, with the Council

cil on Behalf of the English Company at *Calcutta*, in the said Quality, with all others who might chuse to become Parties.

To whom Intimation was made,

To be pleased, either in Person, or by Deputies empowered by them, to cause the aforesaid Oath to be seen and heard, along with their Council, and to make cross Queries thereto, in Relation to the authenticated Copy of the aforementioned Declaration to that Purpose, with Citation.

Granted by the Council.

The Persons required hath judicially affirmed his given Attestation duly upon Oath, in the Romish manner, by laying his right Hand on the Gospel of *St. John*, and uttering these Words, *So help me God!*

(Underneath stood)

(Lower stood)

Before me,

Collated,

Signed,

Signed,

M. KONING, Secretary.

M. KONING,

First Sworn Clerk.

Saturday the 23d of September 1758, Ante Meridiem, present all, except the Merchant van Schevichaven, and the Agent Overbeek, the last through Indisposition, and on this Day appeared the Merchant Bacheracht.

The Serjeant reports, that neither any of the Gentlemen, to whom intimation was made, nor any one on their Behalf has appeared.

The Requirant *Bacheracht*, as well for himself as for the other Requirant, refers himself to the authenticated Extract of a Letter of the 10th current, standing in the Record *contra Henry Karr*, exhibited on Request; seeing neither any of them, nor any one on their Behalf, has appeared, in regard to their Honours Default, and for the Benefit of that Forfeiture of Right of cross-querying; as also in regard to the required judicial Affirmation upon Oath.

The Honourable *Jacob Larwoord van Schevichaven*, *John Bacheracht*, and *John Charles Kist*, joint Owners of the late ship *Anna*, lost in this River,

Requirants contra.

Nicholas Bojac, late Boatswain of the said Vessel the *Anna*.

Required,

To be ready at all times judicially to affirm upon Oath, his Declaration made the 3d of June last, before the sworn Clerk, *Jacob Eilbracht*, and certain Witnesses at the Secretary's Office here, in regard to the circumstances of the Loss of the aforesaid Vessel.

As also the honourable *Robert Clive*, Governor, with the Council on behalf of the English Company at *Calcutta*, in the said Quality, with all others who might chuse to become Parties.

To whom Intimation was made, to be pleased either in person, or by Deputies empowered by them, to cause the aforesaid Oath to be seen and heard, along with their Council, and Cross Queries to

to be made thereto, in regard to the authenticated Copy of the
aforementioned Declaration to that Purpose, with Citation.

Granted by the Council.

The Person required hath judicially affirmed his Declaration
duely upon Oath, in the Romish Manner, by laying his Right
Hand on the Gospel of St. *John*, and uttering these words,
So help me God!

Underneath stood,

Before me,

Signed,

M. KONING, Secretary.

Lower stood,

Collated,

Signed,

M. KONING, First sworn Clerk.

*Saturday the 23d of September, 1758. Ante Meridiem, present all,
except the Merchant van Schevichaven, and the Agent Overbeek,
the last through Indisposition, and then appeared the Merchant Ba-
cheracht.*

The Serjeant reports, that the Person required is not to be found.

The Honourable *Jacob Larwood van Schevichaven*, *John Bache-
racht*, and *John Charles Kist*, joint Owners of the late Ship *Anna*,
lost in this River.

Requirants contra

Domingo Goncalvas, late Mariner on board the aforesaid Vessel
the *Anna*,

Required,

To be ready at all Times judicially to affirm, upon Oath his
Declaration of the 3d of June last, before the sworn Clerk, *Jacob
Eilbracht*, and certain Witnesses at the Secretary's Office here, in
relation to the Circumstances of the Loss of the aforesaid Vessel.

And also the Hon. *Robert Clive*, Governor, with the Council
for the English Company at *Calcutta*, in that Quality, with all o-
thers who might chuse to become Parties.

To whom Intimation was made,

To be pleased, either in Person, or by Deputies empowered by
them, to cause the aforesaid Oath to be seen and heard along with
their Council, and Cross Queries to be made thereto, in regard to
the authenticated Copy of the aforementioned Declaration to that
Purpose, with Citation.

Underneath stood,

Before me

Signed,

M. KONING, Secretary.

Lower stood,

Collated,

Signed,

M. KONING, First Sworn Clerk.

Underneath stood,

Collated with the Extract from the Records of the Council
of Justice at *Hugbly*, lying at the East India Company's
House in Amsterdam,

Signed,

C. VANDER HOOP.

F I N I S.

to be made, in regard to the authentication of the
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The Board of Directors, in relation to the documents, in relation to the documents,

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James H. Smith, Secretary

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